

# NOTICE OF ORDINARY MEETING

## 24 NOVEMBER 2020



**PORT STEPHENS**  
C O U N C I L

The Mayor and Councillors attendance is respectfully requested:

Mayor: R Palmer (Chair).

Councillors: J Abbott, G Arnott, C Doohan, G Dunkley, K Jordan, P Le Mottee, J Nell, S Smith, S Tucker.

### SCHEDULE OF MEETINGS

TIME	ITEM	VENUE
5:30pm:	Public Access (if applied for)	Council Chambers
Followed by:	Ordinary Meeting	Council Chambers

### Please Note:

In accordance with the NSW Privacy and Personal Information Protection Act 1998, you are advised that all discussion held during the Open Council meeting is public information. This will include any discussion involving the Mayor, a Councillor, staff member or a member of the public. All persons present should withhold from making public comments about another individual without seeking the consent of that individual in the first instance. Should you have any questions concerning the privacy of individuals at the meeting, please speak with the Governance Section Manager or the General Manager prior to the meeting.

Please be aware that Council webcasts its Open Council meetings via its website. All persons should refrain from making any defamatory remarks. Council accepts no liability for any defamatory remarks made during the course of the Council meeting.

For the safety and wellbeing of the public, no signs, placards or other props made from material other than paper will be permitted in the Council Chamber. No material should be larger than A3 in size.

Food and beverages are not permitted in the Council Chamber.



# INDEX

**SUBJECT****PAGE NO****MOTIONS TO CLOSE ..... 14**

1. MOTION TO CLOSE ..... 15

**COUNCIL REPORTS..... 16**

1. AMENDMENT TO THE PORT STEPHENS DEVELOPMENT  
CONTROL PLAN 2014 - PART D5 NELSON BAY CENTRE ..... 17
2. PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014 -  
VARIOUS AMENDMENTS TO IMPROVE THE DEVELOPMENT  
ASSESSMENT PROCESS ..... 65
3. LEGACY PLANNING PROPOSALS ..... 88
4. POLICY REVIEW: PORT STEPHENS ANNUAL AWARDS..... 97
5. WITHDRAWAL OF PLANNING PROPOSAL - 22 HOMESTEAD  
STREET, SALAMANDER BAY ..... 104
6. ANNUAL REPORT 2019 TO 2020..... 109
7. QUARTERLY BUDGET REVIEW - 30 SEPTEMBER 2020 ..... 120
8. T24-2019 2 BAGNALL AVENUE SOLDIERS POINT -  
CONSTRUCTION OF 8 TOWNHOUSES ..... 144
9. PORT STEPHENS YOUTH STRATEGY 2020 - 2025 ..... 148
10. OUR INCREDIBLE PLACE STRATEGY..... 174
11. DISPOSAL OF SURPLUS EXCAVATED MATERIALS AT  
NEWCASTLE AIRPORT DEVELOPMENT PROJECT SITE. .... 202
12. KING PARK SPORTS COMPLEX MASTERPLAN ..... 207
13. REQUEST FOR FINANCIAL ASSISTANCE ..... 228
14. INFORMATION PAPERS ..... 232

**INFORMATION PAPERS ..... 233**

1. OCTOBER 2020 CASH AND INVESTMENTS..... 234
2. COUNCIL RESOLUTIONS ..... 237

**NOTICES OF MOTION ..... 247**

1. COUNCIL AUDIT COMMITTEE ..... 248

**CONFIDENTIAL**

1. PROPOSED SALE OF LAND





## **BUSINESS**

- 1) Opening meeting.
- 2) Prayer - We ask Almighty God to give us wisdom and courage so we can serve our community, and uphold justice and equality in Port Stephens. Amen.
- 3) Acknowledgement of Country - Today, we are meeting on Worimi Country, we acknowledge the past, we are working towards a better tomorrow.
- 4) Apologies and applications for a leave of absence by Councillors.
- 5) Confirmation of minutes Ordinary Meeting of 10 November 2020 and Extraordinary Meeting of 17 November 2020.
- 6) Disclosure of interests.
- 7) Mayoral minute(s) – if submitted
- 8) Motions to close meeting to the public – if submitted.
- 9) Reports to Council.
- 10) General Manager's reports – if submitted.
- 11) Questions with Notice – if submitted.
- 12) Questions on Notice.
- 13) Notices of motions – if submitted.
- 14) Rescission motions – if submitted.
- 15) Confidential matters – if submitted.
- 16) Conclusion of the meeting.

## **PRINCIPLES FOR LOCAL GOVERNMENT**

Port Stephens Council is a local authority constituted under the Local Government Act 1993. The Act includes the Principles for Local Government for all NSW Councils.

The object of the principles for councils is to provide guidance to enable councils to carry out their functions in a way that facilitates local communities that are strong, healthy and prosperous.

### **Guiding principles for Council**

#### **1. Exercise of functions generally**

The following general principles apply to the exercise of functions by Council. Council should:

- (a) provide strong and effective representation, leadership, planning and decision-making.
- (b) carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) work with others to secure appropriate services for local community needs.
- (h) act fairly, ethically and without bias in the interests of the local community.
- (i) be responsible employers and provide a consultative and supportive working environment for staff.

#### **2. Decision-making**

The following principles apply to decision-making by Council (subject to any other applicable law). Council should:

- (a) recognise diverse local community needs and interests.
- (b) consider social justice principles.
- (c) consider the long term and cumulative effects of actions on future generations.
- (d) consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

### 3. Community participation

Council should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

#### **Principles of sound financial management**

The following principles of sound financial management apply to Council. Council should:

- (a) spend responsible and sustainable, aligning general revenue and expenses.
- (b) invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) have effective financial and asset management, including sound policies and processes for the following:
  - (i) performance management and reporting,
  - (ii) asset maintenance and enhancement,
  - (iii) funding decisions,
  - (iv) risk management practices.
- (d) have regard to achieving intergenerational equity, including ensuring the following:
  - (i) policy decisions are made after considering their financial effects on future generations,
  - (ii) the current generation funds the cost of its services.

#### **Integrated planning and reporting principles that apply to Council**

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by Council. Council should:

- (a) identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) identify strategic goals to meet those needs and aspirations.
- (c) develop activities, and prioritise actions, to work towards the strategic goals.
- (d) ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) regularly review and evaluate progress towards achieving strategic goals.
- (f) maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) collaborate with others to maximise achievement of strategic goals.
- (h) manage risks to the local community or area or to the council effectively and proactively.
- (i) make appropriate evidence-based adaptations to meet changing needs and circumstances.

## PORT STEPHENS COMMUNITY STRATEGIC PLAN

The Local Government Act requires Council to adopt a Community Strategic Plan (10+ years). The Plan includes a Delivery Program (3 years), Annual Operational Plan and a Resource Strategy, it also includes the Council's budget.

The Community Strategic Plan is organised into four focus areas:

**OUR COMMUNITY** – Port Stephens is a thriving and strong community respecting diversity and heritage.

**OUR PLACE** – Port Stephens is a liveable place supporting local economic growth.

**OUR ENVIRONMENT** – Port Stephens' environment is clean and green, protected and enhanced.

**OUR COUNCIL** – Port Stephens Council leads, manages and delivers valued community services in a responsible way.

## BUSINESS EXCELLENCE

Port Stephens Council is a quality and a customer service focused organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on nine (9) principles.

These outcomes align with the following Business Excellence principles:

- 1) Clear direction and mutually agreed plans enable organisational alignment and focus on achievement of goals.
- 2) Understanding what customers and other stakeholders value, now and in the future, enables organisational direction, strategy and action.
- 3) All people work in a system. Outcomes are improved when people work on the system and its associated processes.
- 4) Engaging people's enthusiasm, resourcefulness and participation improves organisational performance.
- 5) Innovation and learning influence the agility and responsiveness of the organisation.
- 6) Effective use of facts, data and knowledge leads to improved decisions.
- 7) Variation impacts predictability, profitability and performance.
- 8) Sustainable performance is determined by an organisation's ability to deliver value for all stakeholders in an ethically, socially and environmentally responsible manner.
- 9) Leaders determine the culture and value system of the organisation through their decisions and behaviour.

## MEETING PROCEDURES SUMMARY

**Starting time** – All meetings must commence within 30 minutes of the advertised time.

**Quorum** – A quorum at Port Stephens Council is six (6).

### **Declarations of Interest**

**Pecuniary** – Councillors who have a pecuniary interest must declare the interest, not participate in the debate and leave the meeting.

**Non-Pecuniary** – Councillors are required to indicate if they have a non-pecuniary interest, should a Councillor declare a significant non-pecuniary they must not participate in the debate and leave the meeting. If a Councillor declares a less than significant non-pecuniary they must state why no further action should be taken. Councillors may remain in the meeting for a less than significant non-pecuniary.

**Confirm the Minutes** – Councillors are able to raise any matter concerning the Minutes prior to confirmation of the Minutes.

**Public Access** – Each speaker has five (5) minutes to address Council with no more than two (2) for and two (2) against the subject.

### **Motions and Amendments**

**Moving Recommendations** – If a Committee recommendation is being moved, ie been to a Committee first, then the motion must be moved and seconded at Council prior to debate proceeding. A Councillor may move an alternate motion to the recommendation.

**Amendments** – A Councillor may move an amendment to any motion however only one amendment or motion can be before Council at any one time, if carried it becomes the motion.

**Seconding Amendments** – When moving an amendment, it must be seconded or it lapses.

**Incorporating Amendments** – If a motion has been moved and the mover and seconder agree with something which is being moved as an amendment by others, they may elect to incorporate it into their motion or amendment as the case may be.

**Voting Order** – When voting on a matter the order is as follows:

1. Amendment (If any)
2. Foreshadowed Amendments – (If any, and in the order they were moved)
3. Motion

**NB – Where an amendment is carried, there must be another vote on the amendment becoming the motion.**

**Voting** – an item is passed where a majority vote for the subject. If the voting is tied the Chairperson has a second (casting) vote which is used to break the deadlock.

**Closed Session** – There must be a motion to close a meeting. Prior to voting on the motion the chairperson will invite the gallery to make representations if they believe the meeting shouldn't be closed. Then Councillors vote on the matter. If adopted the gallery should then be cleared and the matter considered in closed session. Any decision taken in session closed is a resolution. There must be a motion to reopen the Council meeting to the public. If decision occurred in 'closed session', the meeting is advised of the resolution in 'open session'.

**Procedural Motion** – Is a motion necessary for the conduct of the meeting, it is voted on without debate, eg defer an item to the end of the meeting (however, to defer an item to another meeting is not a procedural motion), extend the time for a Councillor to speak etc.

**Points of Order** – when any of the following are occurring or have occurred a Councillor can rise on a 'Point of Order', the breach is explained to the Chairperson who rules on the matter.

A Point of Order can be raised where:

- 1) There has been any non-compliance with procedure, eg motion not seconded etc.
- 2) A Councillor commits an act of disorder:
  - a) Contravenes the Act, any Regulation in force under the Act, the Code of Conduct or this Code.
  - b) Assaults or threatens to assault another Councillor or person present at the meeting.
  - c) Moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or Committee, or address or attempts to address the Council or Committee on such a motion, amendment or matter.
  - d) Insults or makes personal reflections on or imputes improper motives to any other Councillor, any staff member or alleges a breach of Council's Code of Conduct.
  - e) Says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or Committee into disrepute.

## **Declarations of Conflict of Interest – Definitions**

**Pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated as provided in Clause 7 of the Code of Conduct.

**Non Pecuniary interests** are private or personal interests the council official has that do not amount to a pecuniary interest as defined in the Code of Conduct. These commonly arise out of family or personal relationships or involvement in sporting, social or other cultural groups and associations and may include an interest of financial nature.

The matter of a report to council from the conduct review committee/reviewer relates to the public duty of a councillor or the general manager. Therefore, there is no requirement for Councillors or the General Manager to disclose a conflict of interest in such a matter.

The political views of a Councillor do not constitute a private interest.



## Form of Special Disclosure of Pecuniary Interest

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

### Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.



**ORDINARY COUNCIL - 24 NOVEMBER 2020**

Special disclosure of pecuniary interests by [full name of councillor]

in the matter of [insert name of environmental planning instrument]

which is to be considered at a meeting of the PORT STEPHENS COUNCIL

to be held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor [Tick or cross one box.]	<input type="checkbox"/> The councillor has an interest in the land (eg is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest <sup>1</sup>	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) <sup>2</sup> [Tick or cross one box]	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	

<sup>1</sup> Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

<sup>2</sup> A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Mayor/Councillor's signature \_\_\_\_\_

Date \_\_\_\_\_

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]



## Declaration of Interest form

Agenda item No. \_\_\_\_\_

Report title \_\_\_\_\_

Mayor/Councillor \_\_\_\_\_ declared a

Tick the relevant response:

<input type="checkbox"/>	<b>pecuniary</b> conflict of interest
<input type="checkbox"/>	<b>significant</b> non pecuniary conflict of interest
<input type="checkbox"/>	<b>less than significant</b> non- pecuniary conflict of interest

in this item. The nature of the interest is \_\_\_\_\_

---

---

---

**If a Councillor declares a less than significant conflict of interest and intends to remain in the meeting, the councillor needs to provide an explanation as to why the conflict requires no further action to manage the conflict. (Attach a separate sheet if required.)**

---

---

---

**OFFICE USE ONLY:** (Committee of the Whole may not be applicable at all meetings.)

Mayor/Councillor left the Council meeting in Committee of the Whole at \_\_\_\_\_pm.

Mayor/Councillor returned to the Council meeting in Committee of the Whole at \_\_\_\_\_ pm.

Mayor/Councillor left the Council meeting at \_\_\_\_\_ pm.

Mayor/Councillor returned to the Council meeting at \_\_\_\_\_ pm.



# MOTIONS TO CLOSE



ITEM NO. 1

FILE NO: 20/333127  
EDRMS NO: PSC2006-6753

**MOTION TO CLOSE**

REPORT OF: WAYNE WALLIS - GENERAL MANAGER  
GROUP: GENERAL MANAGER'S OFFICE

---

**RECOMMENDATION:**

- 1) That pursuant to section 10A(2) (d)i of the Local Government Act 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary agenda namely ***Proposed sale of land.***
  - 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information containing:
    - commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
  - 3) That the report remain confidential and the minute be released in accordance with Council's resolution.
-





# COUNCIL REPORTS



ITEM NO. 1

FILE NO: 20/313604  
EDRMS NO: PSC2019-03519

**AMENDMENT TO THE PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014  
- PART D5 NELSON BAY CENTRE**

REPORT OF: JANELLE GARDNER - ACTING STRATEGY & ENVIRONMENT  
SECTION MANAGER  
GROUP: DEVELOPMENT SERVICES

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Receive and note the submissions received during the exhibition period **(ATTACHMENT 4)**.
- 2) Approve the Port Stephens Development Control Plan 2014 - Nelson Bay Amendment **(ATTACHMENT 1)**.
- 3) Provide public notice that the amendment to the Port Stephens Development Control Plan 2014 has been approved in accordance with the Environmental Planning and Assessment Regulation 2000 and commences on the date the amendments to the Port Stephens Local Environmental Plan 2013 to support the Nelson Bay Planning Proposal are gazetted.

---

**BACKGROUND**

The purpose of this report is to outline the outcomes of the exhibition of the draft Port Stephens Development Control Plan 2014 - Nelson Bay Amendment (DCP amendment) **(ATTACHMENT 1)** and to seek Council approval to make the amendment.

The DCP amendment will give effect to Action 11 of the 'Progressing the Town Centre and Foreshore Strategy: A revised implementation and delivery program' (Delivery Program) and support achieving other actions to revitalise Nelson Bay as detailed in **(ATTACHMENT 2)**.

The DCP amendment will also support the objectives of the Nelson Bay Planning Proposal adopted by Council.

Extensive consultation with the community has informed a community vision for the Nelson Bay town centre that will enhance the character of Nelson Bay and promote a vibrant town centre. The actions to achieve this vision are outlined in the Delivery Program as adopted by Council.

Since adoption of the Delivery Program, 26 out of the 33 actions have been finalised, including:

- \$1.85 million extension of Yacaaba Street to improve connectivity between the town centre and foreshore.
- The Apex Park master plan which has created a more attractive, community focused park.
- The Donald Street multi-storey car park has been demolished and replaced with a new ground level car park.
- The Nelson Bay Public Domain Plan has been endorsed and will create a people friendly town centre through a range of actions including car parking, transport and movement improvements, public domain improvements, and public space upgrades.
- The Independent Citizens Parking Panel has prepared a report, which is being used to inform traffic and parking improvements including Smart Parking.
- Smart Parking roll out and implementation of the Nelson Bay Public Domain Plan and Citizens Parking Panel has been endorsed by Council in May 2020.
- Establishment of the Port Stephens Urban Design Panel in December 2019.
- Implementation of Council's Economic Development and Tourism Strategy.

These actions, and the outcomes achieved by the DCP amendment, will enhance the vitality, viability and sustainability of Nelson Bay as a regional centre in the Hunter. As envisaged by the Delivery Program, all of these actions will deliver on the future vision for Nelson Bay, concurrent with the changes to the planning framework, including the DCP amendment.

A draft version of the DCP amendment (**ATTACHMENT 3**) was publically exhibited for a period of 42 days from 3 July 2020 to 14 August 2020, concurrently with the Nelson Bay Planning Proposal. During this period, submissions were received in relation to both the DCP amendment and Nelson Bay Planning Proposal, with 19 submissions specifically addressing the DCP amendment. The submissions are summarised and addressed in (**ATTACHMENT 4**).

No changes were made to the Nelson Bay Planning Proposal in response to the submissions. However, the DCP amendment has been amended to respond to submissions made on the combined exhibition, specifically to strengthen controls for design excellence and to enhance connections to the blue green grid to align with the Nelson Bay Public Domain Plan.

If the DCP amendment is endorsed, it will align with the timeframes for the commencement of the Nelson Bay Planning Proposal.

## COMMUNITY STRATEGIC PLAN

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

## FINANCIAL/RESOURCE IMPLICATIONS

There are no anticipated financial or resource implications for Council as a result of the recommendations.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

## LEGAL, POLICY AND RISK IMPLICATIONS

There are no significant anticipated legal, policy, or risk implications as a result of the recommendations.

<b>Risk</b>	<b><a href="#">Risk Ranking</a></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that if the DCP amendment is not made the community vision for Nelson Bay town centre will not be achieved.	Medium	Adopt the recommendations.	Yes
There is a risk the DCP amendment will not commence at the same time as the Nelson Bay Planning Proposal.	Low	Adopt the recommendations.	Yes

#### Environmental Planning and Assessment Act 1979 (EP&A Act)

Division 3.6 of the EP&A Act relates to development control plans. Should Council resolve to approve the DCP amendment, all necessary matters in making the DCP will be carried out in accordance with the EP&A Act. This will include a public notice to commence the DCP amendment concurrently with gazettal of the Nelson Bay Planning Proposal.

#### Environmental Planning & Assessment Regulations 2000 (EP&A Regulations)

Division 2 of Part 3 of the EP&A Regulations specifies the requirements for public participation when a DCP is amended. The public exhibition of the DCP amendment has satisfied these requirements.

#### Hunter Regional Plan (HRP)

The aims of the HRP are to encourage initiatives that revitalise centres, improve housing choice, and make better use of existing infrastructure. The HRP lists Nelson Bay as a regionally significant centre with the following priorities:

- Maintain it as one of the primary tourist centres for the region and a hub for the Tomaree Peninsula.
- Maintain retail and professional services for the surrounding communities.
- Investigate opportunities for high-density development that maintains and enhances the tourist, recreational and residential appeal of the centre.
- Balance the mix of permanent residential and tourist accommodation to enhance the vibrancy and appeal of the centre and surrounds.

The DCP amendment is consistent with the priorities in the HRP.

#### Port Stephens Local Strategic Planning Statement (LSPS)

The DCP amendment is consistent with Actions 1.3, 5.1 and 8.4 in the LSPS.

#### Live Port Stephens (LPS)

The DCP amendment is consistent with Action 5, Action 15, Action 20, and priorities 3.1, 4.1 and 4.2 of the LPS.

#### Port Stephens Development Control Plan 2014

The DCP amendment will require new development to demonstrate design excellence and contribute to the local streetscape. In addition, the DCP amendment will more clearly define the role of the Urban Design Panel in providing independent advice on design and architectural merit.

Progressing the Nelson Bay Town Centre and Foreshore Strategy: A revised implementation and delivery program

The DCP amendment supports the implementation of Action 11 in the Delivery Program to require new development to demonstrate design excellence. The DCP amendment will support the outcomes and objectives of the Nelson Bay Planning Proposal which implements Actions 1, 2 and 7 of the Delivery Program.

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The DCP amendment will have overall positive environmental, social and economic implications. It will ensure new development in the Nelson Bay town centre demonstrates design excellence and enhances the local character.

The DCP amendment aims to achieve improved economic and environmental outcomes by promoting built form solutions that are consistent with the NSW Government Architect's Better Placed Guide and by encouraging private investment in the Nelson Bay town centre.

**CONSULTATION**

The DCP amendment gives effect to the outcomes and actions in the adopted Delivery Program. Community and stakeholder consultation on the vision for the Nelson Bay town centre has been ongoing since 2017. In that time, surveys, a discussion paper, letter drops, stakeholder meetings, and other initiatives have been used to inform the community vision in the Delivery Program that the DCP amendment seeks to achieve.

Internal

Consultation with internal stakeholders has been undertaken to inform the preparation of the DCP amendment, including Development Engineering, Development Assessment and Compliance, and the Economic Development and Tourism team. No objections were identified with the DCP amendment.

External

The DCP amendment and Nelson Bay Planning Proposal were placed on public exhibition for 42 days from 3 July 2020 to 14 August 2020. The Environmental Planning and Assessment Regulation requires amendments to development control plans to be exhibited for a minimum 28 days.

The DCP amendment was supported by 'Revitalising Nelson Bay: a community guide to the vision for Nelson Bay' (**ATTACHMENT 2**).

A notice was placed in the Port Stephens Examiner and copies of the exhibition material were made available on the Council website, at the Council administration building, and Council libraries.

The following public authorities were consulted during exhibition:

- Ausgrid
- Hunter Water Corporation
- NSW Rural Fire Services
- Transport for NSW
- Crown Land in NSW
- NSW Government Architect

No comments were received from public authorities.

During the public exhibition, submissions were received in relation to both the DCP amendment and Nelson Bay Planning Proposal, with 19 submissions specifically addressing the DCP amendment. The submissions are summarised and addressed in **(ATTACHMENT 4)**.

17 submissions supported the proposed DCP amendments. 2 submissions recommended additional changes.

No changes were made to the Nelson Bay Planning Proposal in response to the submissions. However, the DCP amendment has been amended to respond to submissions made on the combined exhibition, specifically to:

- Strengthen the controls for design excellence and architectural merit.
- Require new development to respond to, and enhance the character of the town centre (including topography, natural environment, views, solar access, and village feel).
- Require new development to enhance connections to the blue-green grid.

The DCP amendment has also been referred to the community members of the Nelson Bay Implementation Panel and the Port Stephens Urban Design Panel. The panel members participated in the preparation of the amendments following exhibition.

## **OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

## **ATTACHMENTS**

- 1) Port Stephens Development Control Plan - Nelson Bay amendment. [↓](#)



## **ORDINARY COUNCIL - 24 NOVEMBER 2020**

- 2) Revitalising Nelson Bay: A community guide to the vision for Nelson Bay. [↓](#)
- 3) Draft Port Stephens Development Control Plan 2014 (exhibited version). [↓](#)
- 4) Summary of submissions. (Provided under separate cover)

### **COUNCILLORS ROOM**

- 1) Copy of unredacted submissions.

### **TABLED DOCUMENTS**

Nil.

## ITEM 1 - ATTACHMENT 1 PORT STEPHENS DEVELOPMENT CONTROL PLAN - NELSON BAY AMENDMENT.

## D5

## NELSON BAY CENTRE

## D5 Nelson Bay Centre

## Application

This Part applies to the land identified in Figure DI (p. D-117) as Nelson Bay Centre

**Note:** State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development provides relevant controls for **residential flat buildings**, including provisions for view sharing and visual privacy. Where there is inconsistency between the provisions of the State Policy and this Development Control Plan, the provisions of the State Policy prevail.

## Objectives

D5.A	<b>General Precinct Provisions</b>	<ul style="list-style-type: none"> <li>To provide general provisions that apply to all precincts identified in the Nelson Bay Centre</li> <li>To maintain and enhance important views and ensure <b>development</b> integrates within the natural topography</li> <li>To ensure <b>development</b> contributes to the existing compact and interconnected street pattern</li> <li>To ensure buildings reinforce the natural amphitheatre landform of the Nelson Bay Town Centre</li> <li>To ensure <b>development</b> is designed so as to contribute positively to the surrounding <b>public domain</b></li> <li>To ensure <b>development</b> enhances the desired local character</li> </ul>
------	------------------------------------	--

## Requirements

D5.1	Significant <b>Vistas</b>	<p><b>Development</b> preserves the important <b>vistas</b> identified by Figure DJ (p. D-118)</p> <p><b>Note:</b> C1.3 requires street layout to respond to the topographical features of the site</p>
D5.2	Street Layout	<p>The street layout is consistent with Figure DJ (p. D-118)</p> <p><b>Note:</b> C1.3 requires the street network to be interconnected to provide a grid-like structure</p>
D5.3	Roof Design	<p><b>Development</b> is to ensure that roof tops do not <b>adversely impact</b> on the <b>public domain</b> when:</p> <ul style="list-style-type: none"> <li>Viewed from buildings at higher elevations</li> <li>When approaching the town centre</li> <li>Viewed from the street</li> </ul> <p><b>Note:</b> C2.1 requires <b>building height</b> to be in accordance with the <b>Local Environmental Plan</b>, clauses 4.3 and 5.6</p>
D5.4	NSW Coastal Planning Guidelines	<p>Building materials are reflective of existing buildings with reference made to the NSW Coastal Planning Guidelines<sup>12</sup></p> <p><b>Note:</b> C2.17 requires building facades to use materials, colours and architectural elements to reduce bulk and scale</p>
D5.5	Design Excellence	<p><b>Development</b> in the Nelson Bay Centre as shown in Figure DI is to demonstrate:</p> <ul style="list-style-type: none"> <li>Consistency with the desired character statements set out in this chapter;</li> <li>Consideration of impacts on the <b>public domain</b> including views, overshadowing and the scale of the streetscape;</li> </ul>

D-113

## ITEM 1 - ATTACHMENT 1 PORT STEPHENS DEVELOPMENT CONTROL PLAN - NELSON BAY AMENDMENT.

## D5

## NELSON BAY CENTRE

		<ul style="list-style-type: none"> <li>Architectural merit, such as how the development responds to and enhances local topography, the surrounding natural environment, surrounding waterways, green open space, and vegetated ridgelines.</li> </ul>
D5.6		<p><b>Development</b></p> <p><b>Development</b> in a prominent location and of a prominent scale, or where Council deems necessary, will be referred to the Urban Design Panel.</p> <p><b>Note:</b> Consultation with the Urban Design Panel is encouraged during the initial design phase.</p>
<b>Objectives</b>		
D5.B	<b>Desired Character - Village Precinct</b>	<ul style="list-style-type: none"> <li>To provide character statements that were identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Village Precinct as identified by Figure DJ (p. D-118)</li> <li>To ensure street activation and passive surveillance through <b>activated street fronts</b></li> <li>To facilitate <b>development</b> that is safe and secure for pedestrians and contributes to <b>public domain</b> safety by incorporating principles of <b>Crime Prevention through Environmental Design (CPTED)</b>, such as: <ul style="list-style-type: none"> <li>Territorial Re-enforcement</li> <li>Surveillance</li> <li>Access Control</li> <li>Space/Activity Management</li> </ul> </li> </ul>
<b>Requirement</b>		
D5.7	Desired Character – Village Precinct	<p><b>Development</b> within the Village Precinct as identified on Figure DJ (p. D-118) has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li>Magnus Street is a pedestrian focused main street and acts as a focal point for the town centre</li> <li><b>Development</b> is fine grained and intensive retail and commercial that presents street activation <ul style="list-style-type: none"> <li><b>Development</b> provides continuity of an activated street frontage for localities where <b>business or retail premises</b> predominately face the street and have direct pedestrian access from the street</li> </ul> </li> </ul> <p><b>Note:</b> C2.18 requires street activation for those localities identified in Part D – Specific Areas</p> <ul style="list-style-type: none"> <li><b>Development</b> retains and enhances the existing character and function of Stockton and Magnus Streets as the main shopping streets in the town centre</li> <li>Tall buildings have setbacks above the street and are designed to ensure that they do not visually dominate at the street level <ul style="list-style-type: none"> <li>Facades should be detailed to promote clearly defined ground floor, first floor and second floor elements to manage the proportion of <b>building height</b></li> <li><b>Development</b> is to present a façade to street boundaries of no more than 2 storeys. Built elements, including balconies, decks and</li> </ul> </li> </ul>

D-114

## ITEM 1 - ATTACHMENT 1 PORT STEPHENS DEVELOPMENT CONTROL PLAN - NELSON BAY AMENDMENT.

## D5

## NELSON BAY CENTRE

		<p>architectural features of upper floors should be set back to reinforce the prominence of a 2 storey street facing façade</p> <ul style="list-style-type: none"> <li>- Articulation of the ground floor should maintain the rhythm of the traditional main street shop fronts</li> </ul> <p><b>Note:</b> C2.7 and C2.8 requires a <b>define</b> minimum front setbacks of 3m from the <b>front property line</b> for the second floor. Variation to these setbacks is appropriate where <b>development</b> aligns with the character statements contained in this part.</p>
<b>Objectives</b>		
D5.C	<b>Desired Character – Town Living and Commercial Precinct</b>	<ul style="list-style-type: none"> <li>• To provide character statements that were identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Town Living and Commercial Precinct as identified by Figure DJ (p. D-118)</li> <li>• To encourage a diversity of <b>residential accommodation</b> types to provide <b>critical mass</b> to support the role of the village precinct</li> </ul>
<b>Requirement</b>		
D5.8	Desired Character – Town Living and Commercial Precinct	<p><b>Development</b> within the Town Living and Commercial Precinct as identified on Figure DJ (p. D-118) has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li>• A wide range of uses including residential, retail and business <b>development</b> will occur in the precinct. This will attract a range of housing types including <b>residential flat buildings, multi dwelling housing</b> and shop top housing</li> <li>• The precinct is appropriate for larger scale <b>developments</b>, with large footprints, that may not be suitable for the Village Precinct</li> <li>• The mix of uses may encourage residential living with live-work opportunities and boutique commercial office space</li> <li>• <b>Development</b> will have regard for adjacent precincts that provide a change in scale</li> <li>• Mature street plantings are to assist in enclosing the street for pedestrians and reducing the scale of large style buildings located in this area</li> </ul> <p><b>Note:</b> C1.5 requires that street trees be provided in accordance with the <b>tree technical specification</b><sup>1</sup></p>
<b>Objectives</b>		
D5.D	<b>Desired Character – Tourism and Leisure Precinct</b>	<ul style="list-style-type: none"> <li>• To provide character statements that were identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Tourism and Leisure Precinct as identified by Figure DJ (p. D-118)</li> <li>• To facilitate tourism and leisure precinct that provides consideration to the roles of adjoining precincts</li> </ul>
<b>Requirement</b>		
D5.9	Desired Character – Tourism and Leisure Precinct	<p><b>Development</b> within the Tourism and Leisure Precinct as identified on Figure DJ (p. D-118) has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li>• <b>Development</b> fronting Apex Park is to provide <b>activate street fronts</b>, facilitate access to adjoining precincts and contribute linking the Town Centre through Apex Park to the <b>Foreshore</b></li> </ul>

D-115

## ITEM 1 - ATTACHMENT 1 PORT STEPHENS DEVELOPMENT CONTROL PLAN - NELSON BAY AMENDMENT.

## D5

## NELSON BAY CENTRE

		<p><b>Note:</b> C2.18 requires street activation for those localities identified in Part D—Specific Areas</p> <ul style="list-style-type: none"> <li><b>Development</b> for a hotel and conference centre would be appropriate in this location</li> </ul>
<b>Objectives</b>		
D5.E	<b>Desired Character – Foreshore Precinct</b>	<ul style="list-style-type: none"> <li>To provide character statements identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Foreshore Precinct as identified by Figure DJ (p. D-118)</li> <li>To encourage <b>development</b> to address the waterfront and to provides an attractive safe pedestrian environment</li> <li>To encourage the establishment of a destination <b>development</b> that will integrate with established and future pedestrian circulation patterns</li> </ul>
<b>Requirement</b>		
D5.10	Desired Character – Foreshore Precinct	<p><b>Development</b> within the Foreshore Precinct as identified on Figure DJ (p. D-118) has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li><b>Development</b> provides legibility, which reinforces the visual and cultural importance of the waterfront <ul style="list-style-type: none"> <li><b>Development</b> incorporates public art, which can act as landmarks</li> </ul> </li> </ul> <p><b>Note:</b> C2.27 requires <b>commercial development</b> of a significant scale and that provides frontage to the <b>public domain</b> to incorporate public art in accordance with Council's <i>Public Art Policy and Guidelines for the approval and installation of public art in Port Stephens</i></p> <ul style="list-style-type: none"> <li>Water and marine related activities are complimentary to commercial and leisure related uses</li> <li>Accessible area that attracts a range of users</li> </ul>
<b>Objectives</b>		
D5.F	<b>Desired Character – Green Link Precinct</b>	<ul style="list-style-type: none"> <li>To provide a range of character statements identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Green Link Precinct as identified by Figure DJ (p. D-118)</li> <li>To encourage the establishment of a destination <b>development</b> that will integrate with established and future pedestrian circulation patterns</li> </ul>
<b>Requirement</b>		
D5.11	Desired Character – Green Link Precinct	<p><b>Development</b> within the Green Link Precinct as identified on Figure DJ (p. D-118) has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li>The Green Link at Nelson Bay's central meeting place is reinforced by connecting paths and as a future location of cyclist end of trip facilities</li> <li>A transition area that facilitates movement between the Town Centre and Foreshore</li> <li>This green space is appropriate for passive and small scale active recreation uses</li> </ul>

D-116

ITEM 1 - ATTACHMENT 1 PORT STEPHENS DEVELOPMENT CONTROL  
PLAN - NELSON BAY AMENDMENT.

## D5

### NELSON BAY CENTRE

Objectives		
D5.G	Desired Character – Foreshore Town Living Precinct	<ul style="list-style-type: none"> <li>To provide a range of character statements identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Foreshore Town Living Precinct as identified by Figure DJ</li> <li>To encourage <b>development</b> to address the waterfront and to provides an attractive safe pedestrian environment</li> <li>To encourage the establishment of a destination <b>development</b> that will integrate with established and future pedestrian circulation patterns</li> </ul>
Requirement		
D5.12	Desired Character – Foreshore Town Living Precinct	<p><b>Development</b> within the Foreshore Town Living Precinct as identified on Figure DJ has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li><b>Development</b> provides legibility, which reinforces the visual and cultural importance of the waterfront</li> <li><b>Development</b> is designed to ensure the natural setting of the town centre, as viewed from the water, is retained</li> <li><b>Development</b> will have regard for adjacent precincts that provide a change in scale</li> <li>Mature street plantings are to assist in enclosing the street for pedestrians and reducing the scale of large style buildings located in this area</li> </ul> <p><b>Note:</b> C1.5 requires that street trees be provided in accordance with the <b>tree technical specification</b><sup>1</sup></p>

D-117



## D5

### NELSON BAY CENTRE

**Figure D1:**  
Nelson Bay  
Centre Land  
Application  
Map

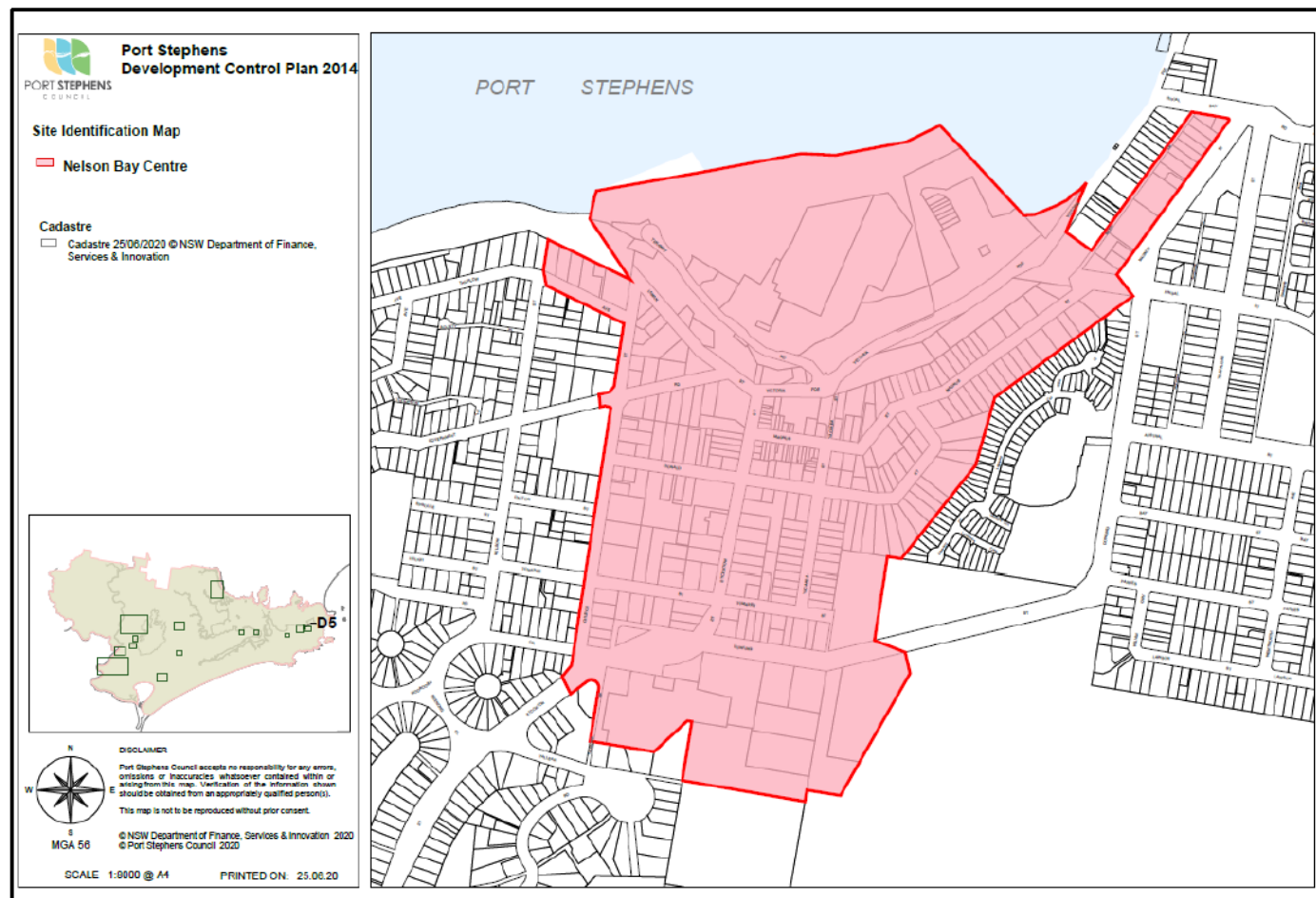


D-118

## D5

## NELSON BAY CENTRE

**Figure D1:**  
Nelson Bay  
Centre Land  
Application Map



D-119

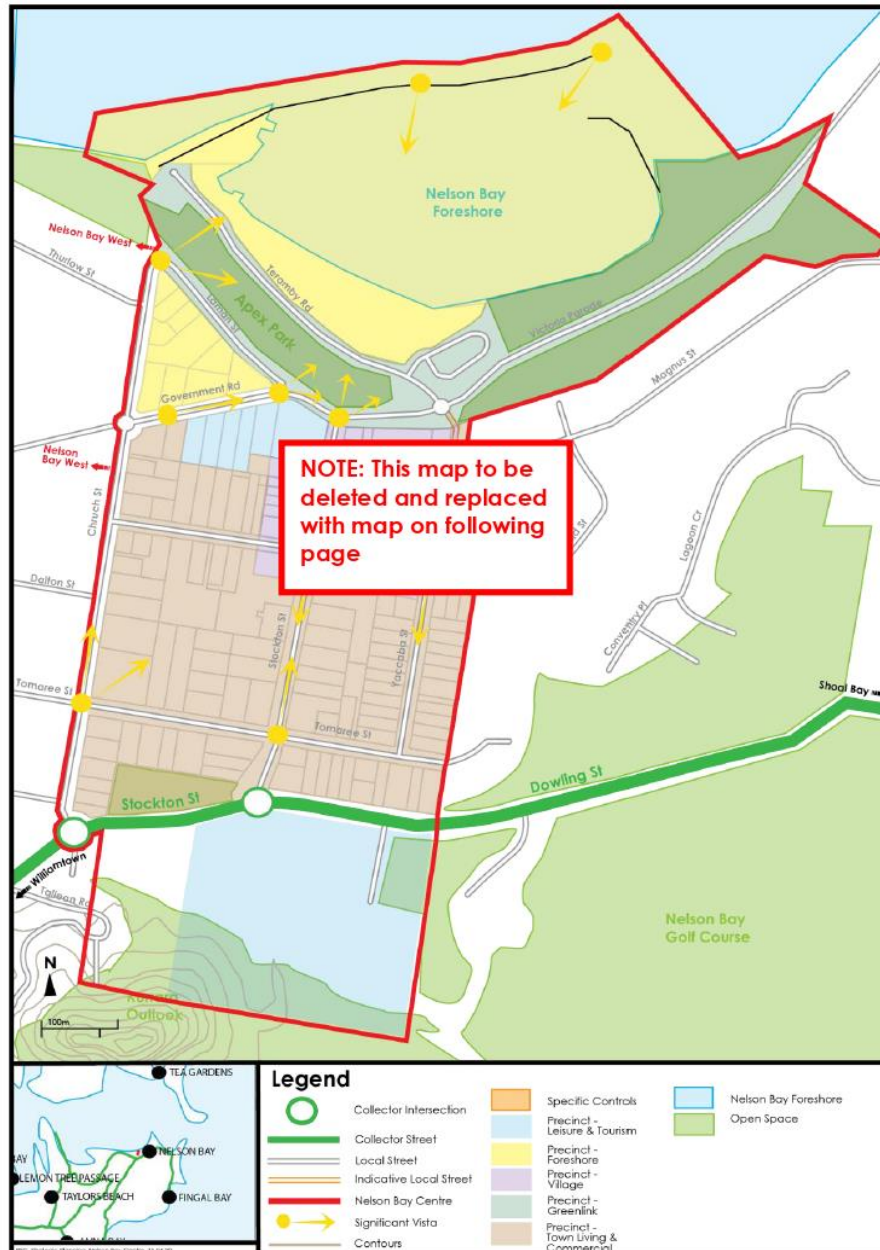


ITEM 1 - ATTACHMENT 1 PORT STEPHENS DEVELOPMENT CONTROL PLAN - NELSON BAY AMENDMENT.

D5

NELSON BAY CENTRE

Figure DJ: Nelson Bay Centre Locality Controls Map



D-120

## D5

### NELSON BAY CENTRE

**Figure DJ:**  
Nelson Bay  
Centre Locality  
Controls Map



D-121

## ITEM 1 - ATTACHMENT 1 PORT STEPHENS DEVELOPMENT CONTROL PLAN - NELSON BAY AMENDMENT.

## D6

## NELSON BAY WEST

## D6 Nelson Bay West

Application					
This Part applies to the land identified in Figure DK (p. D-121) as Nelson Bay West					
Objective					
D6.A	Setbacks	To ensure <b>development</b> provides continuity and consistency to the <b>public domain</b>			
Requirements					
D6.1	Front Setback	Minimum front setback of 6m			
D6.2	<b>Secondary Setbacks</b> (Corner Lots)	Minimum <b>secondary setback</b> of 3m			
D6.3	Side Setback	Minimum side setback of 2m for Town Centre Edge, Foreshore, Wahgunyah Neighbourhood and Lower Slopes			
D6.4		Minimum side setback of 3m for Upper Slopes and Hill Tops <b>Note:</b> C4.10 requires a minimum <b>ground level (finished)</b> side setback of 0.9m			
Objective					
D6.B	On-site Detention	To regulate the impacts on the capacity of the <b>public drainage</b> system			
Requirement					
D6.5	<b>Impervious surfaces</b>	<b>On-site detention</b> is required where <b>impervious surfaces</b> exceed the listed percentage of <b>site area</b> : <ul style="list-style-type: none"><li>Town Centre Edge – 75%</li><li>Foreshore – 60%</li><li>Wahgunyah – 65%</li><li>Lower Slopes – 65%</li><li>Upper Slopes and Hilltops – 50%</li></ul> <b>Note:</b> B4.2 requires <b>on-site detention</b> where <b>impervious surfaces</b> exceed the total percentage of <b>site area</b> as listed under Figure BD (p. B-29)			
Objective					
D6.C	Landscaping	To ensure landscaping is within context through the appropriate selection of species and site coverage			
Requirement					
D6.6	Landscape Coverage	A <b>Landscape Plan</b> within Nelson Bay West achieves the following <b>site area</b> percentage coverage targets:			
		Location	Landscape Area	Endemic Species	Native Vegetation
		Town Centre Edge	25%	10%	N/A
		Foreshore	40%	20%	N/A

D-122

**ITEM 1 - ATTACHMENT 1 PORT STEPHENS DEVELOPMENT CONTROL  
PLAN - NELSON BAY AMENDMENT.****D6****NELSON BAY WEST**

		Wahgunyah	34%	20%	N/A
		Lower Slopes	34%	20%	N/A
		Upper Slopes	50%	35%	70%
		Hill Tops	50%	35%	90%

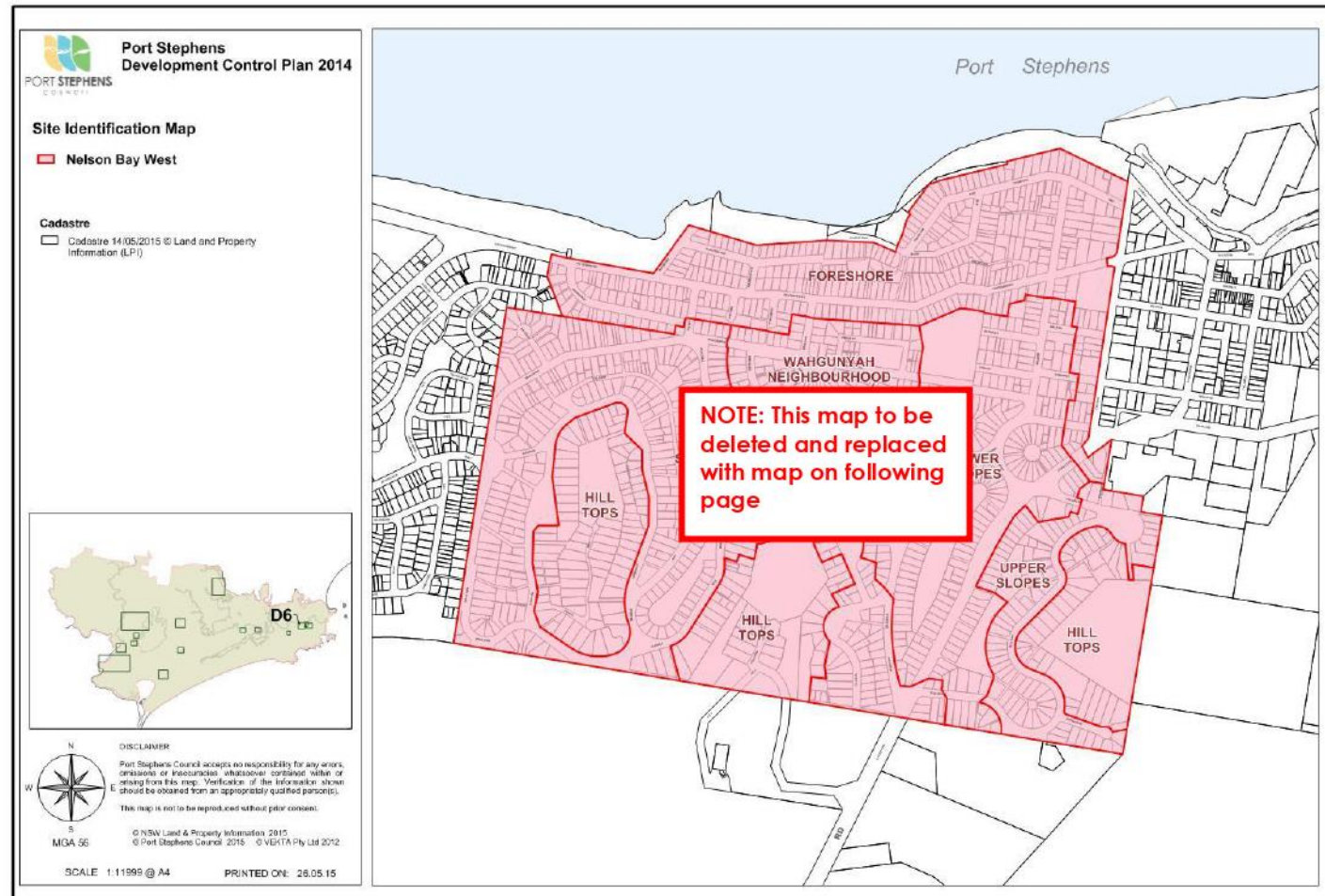
D-123



## D6

## NELSON BAY WEST

**Figure DK:**  
Nelson Bay  
West Land  
Application  
Map

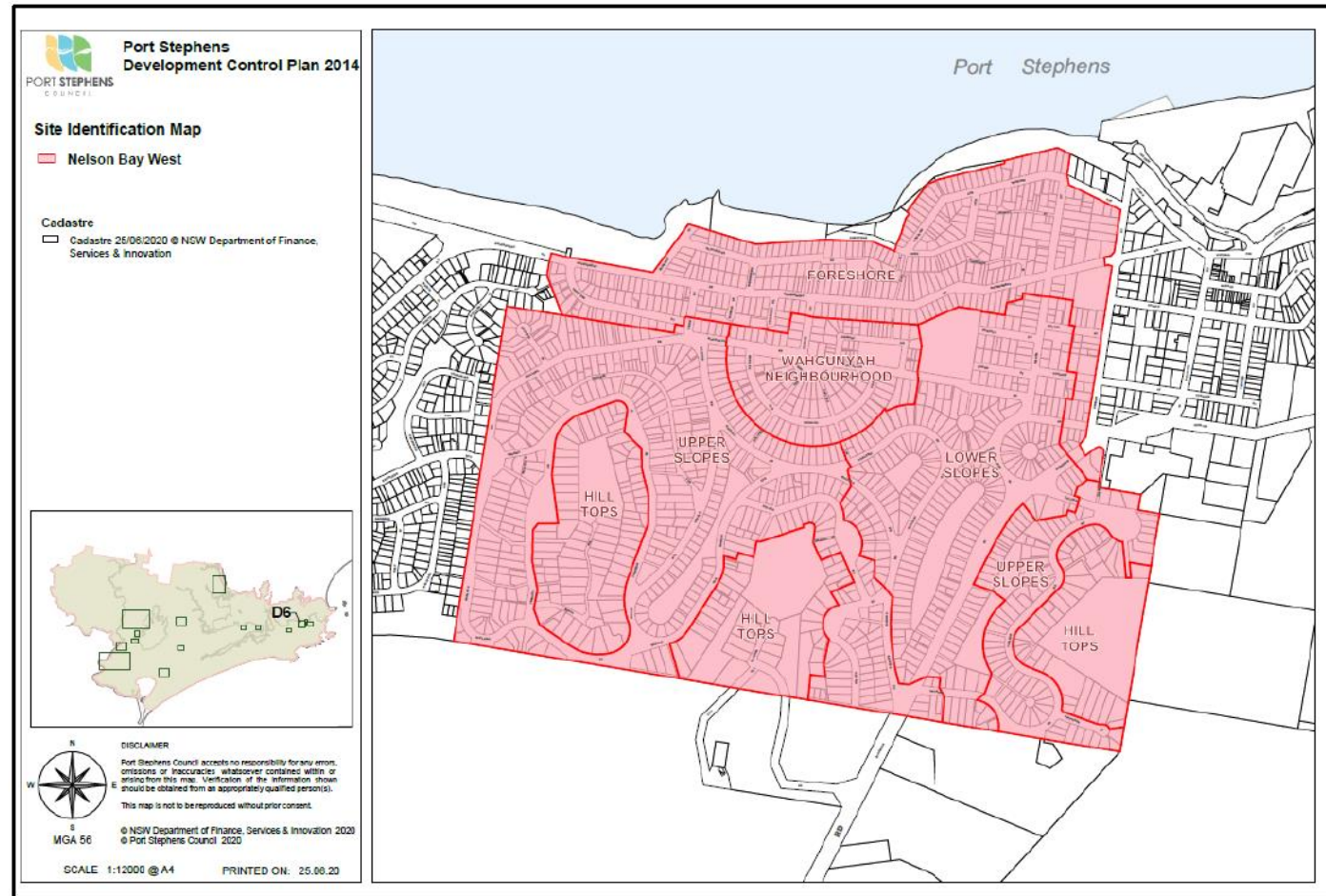


D-124

## D6

### NELSON BAY WEST

**Figure DK:**  
Nelson Bay  
West Land  
Application Map



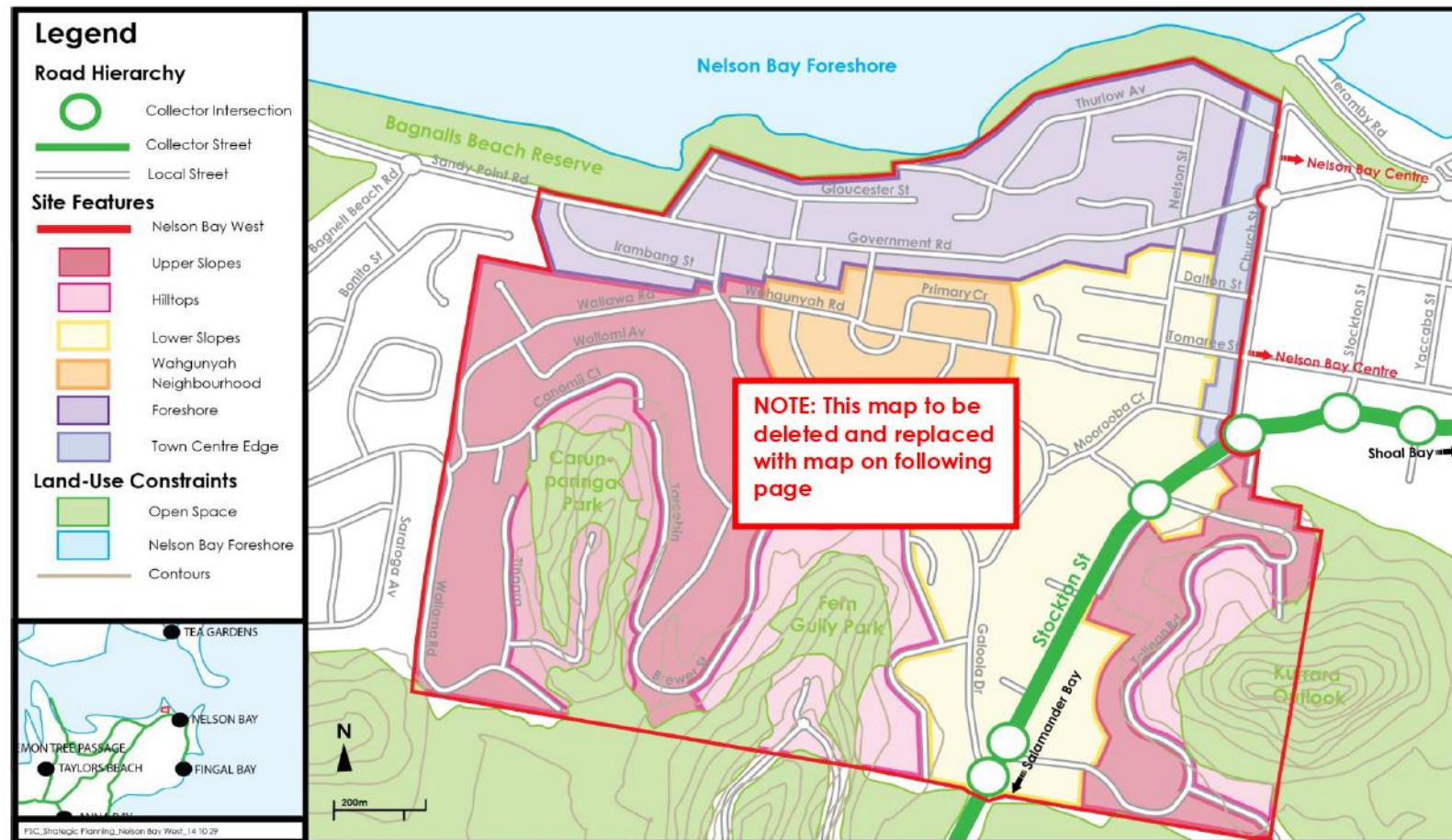
D-125



**D6**

## NELSON BAY WEST

Figure DL: Nelson Bay West Locality Controls Map

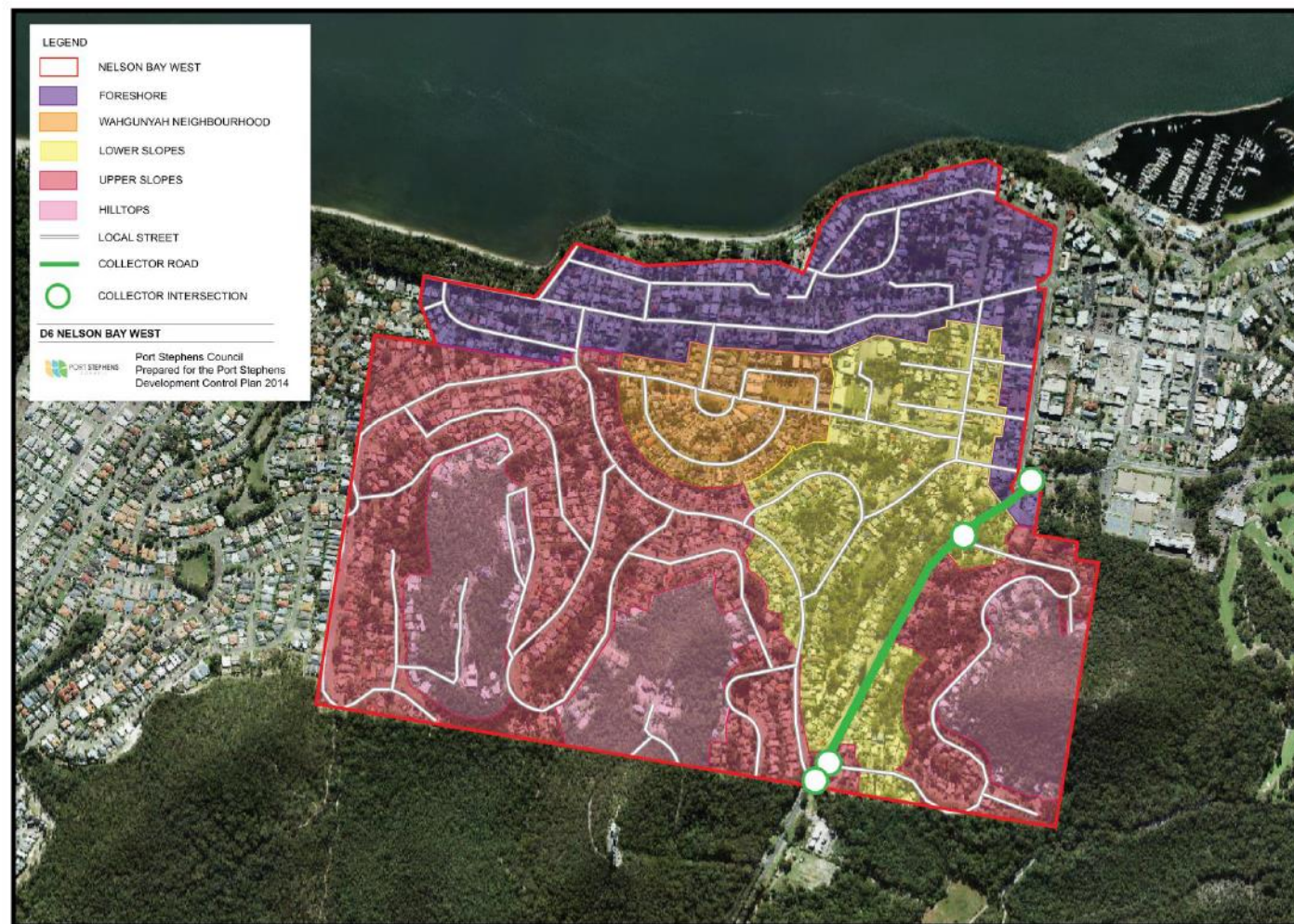


D-126

## D6

### NELSON BAY WEST

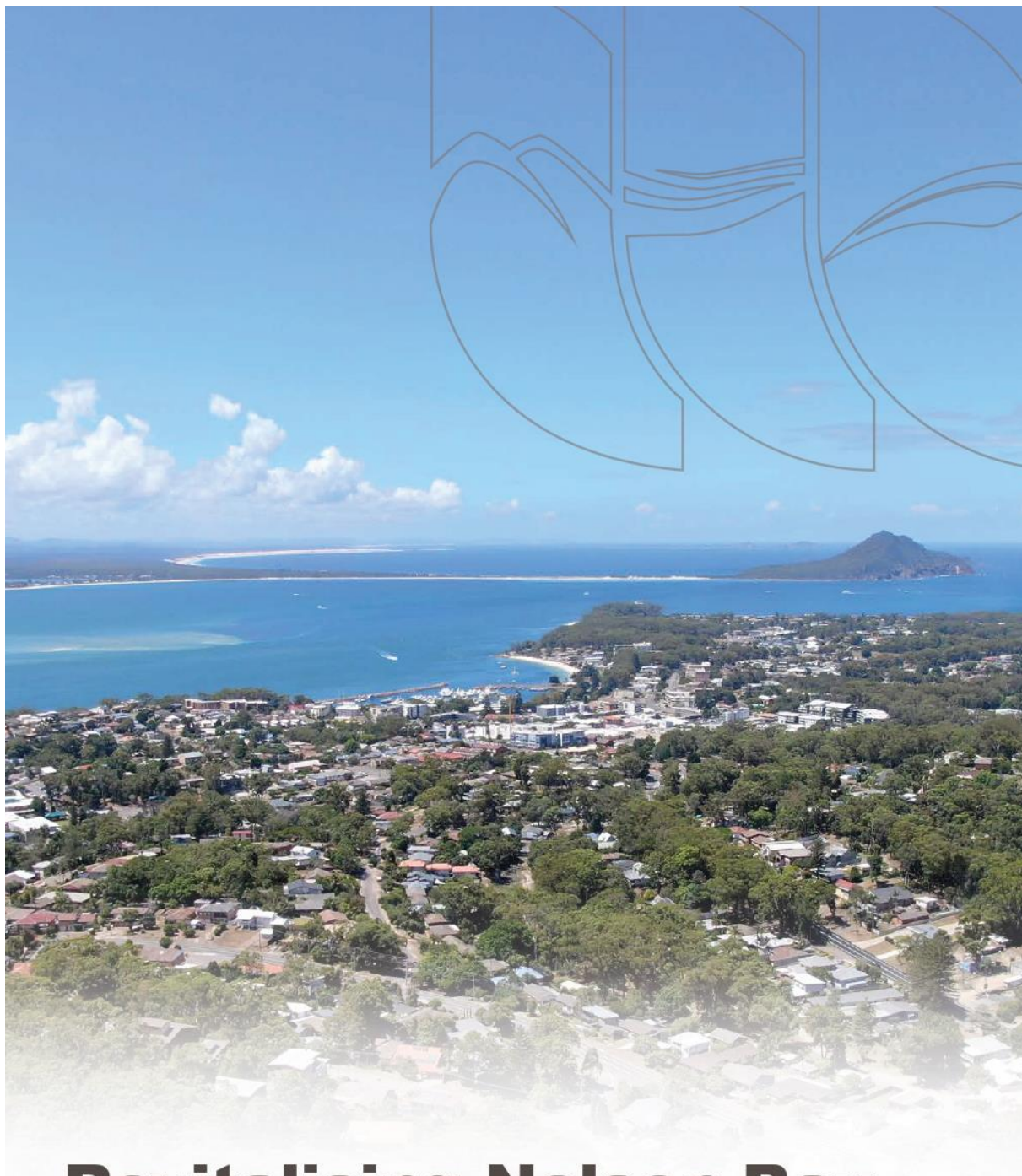
**Figure DL:**  
Nelson Bay  
West Locality  
Controls Map



D-127



ITEM 1 - ATTACHMENT 2      REVITALISING NELSON BAY: A COMMUNITY  
GUIDE TO THE VISION FOR NELSON BAY.



# Revitalising Nelson Bay

A community guide to the vision for Nelson Bay



PORT STEPHENS  
COUNCIL



ITEM 1 - ATTACHMENT 2      REVITALISING NELSON BAY: A COMMUNITY  
GUIDE TO THE VISION FOR NELSON BAY.



2

Port Stephens Council



**ITEM 1 - ATTACHMENT 2      REVITALISING NELSON BAY: A COMMUNITY GUIDE TO THE VISION FOR NELSON BAY.**

## Introduction

Nelson Bay is surrounded by beautiful beaches and a pristine natural environment. It is a popular destination for visitors, and people looking for a great place to live. People come to the town centre to live, shop, work, gather and be entertained.

There are some really exciting changes happening which will make Nelson Bay an even more inviting and beautiful place than it already is. The changes will sustain the Bay as a major contributor to the Hunter regional economy and revitalise the centre for both residents and visitors.

The community has told us what they want in a reinvigorated centre and the vision for Nelson Bay has been prepared to enhance local character, attract investment, and create vibrant streets to revitalise Nelson Bay.

This guide sets out how proposed changes to the Port Stephens Local Environmental Plan 2013 and Port Stephens Development Control Plan 2014 will combine with other actions and initiatives to achieve the community vision for Nelson Bay.



## ITEM 1 - ATTACHMENT 2 REVITALISING NELSON BAY: A COMMUNITY GUIDE TO THE VISION FOR NELSON BAY.

### The community vision for Nelson Bay

Council has been regularly consulting with our community since the 1980s to find out what it is about Nelson Bay that people love and what needs to be enhanced.

The community vision for the Bay has not changed over the years - you've told us that the character of the town centre is what makes Nelson Bay a great place to be.

#### The character of Nelson Bay

The community has told us they value:

- Sunny and inviting public spaces
- Views of the blue sky and vistas to the Bay
- A friendly village feel in the central commercial area

You've also told us that Nelson Bay needs a makeover and to support an expanded range of local businesses, creating a more vibrant town centre.

#### Promoting a vibrant town centre

The community has told us the town centre should:

- Support local shops and businesses
- Stimulate increased economic turnover outside peak holiday periods
- Be a place residents and visitors enjoy with cafes, restaurants, boutique shopping, events and activities

Despite a property boom in the region, and an adopted strategy for growth, there has been a lack of new development in Nelson Bay to support the community vision. In 2018 Council adopted Progressing the Town Centre and Foreshore Strategy: A revised implementation and delivery program (the Delivery Program) to deliver the community vision - available [here](#).

A number of actions in the Delivery Program have already been carried out.

#### Recent works

- A \$1.85million extension of Yacaaba Street to improve connectivity between the town centre and foreshore
- The Apex Park master plan has created a more attractive, community focused park
- The Donald Street multi-storey car park has been demolished and replaced with a new ground level car park

Funding has also been secured for car parking and public domain improvements through local infrastructure contributions and paid parking revenue.

This funding will deliver actions from the Nelson Bay Public Domain Plan and the Independent Citizens Car Parking Panel report - available [here](#).

A vibrant town centre needs a local population to support it, which requires new development in Nelson Bay.

Delivery Program actions to increase building heights will improve the feasibility of new residential buildings.

The Delivery Program also includes actions to adopt new planning controls that will enhance the future character of the Bay.



ITEM 1 - ATTACHMENT 2 REVITALISING NELSON BAY: A COMMUNITY GUIDE TO THE VISION FOR NELSON BAY.





ITEM 1 - ATTACHMENT 2      REVITALISING NELSON BAY: A COMMUNITY  
GUIDE TO THE VISION FOR NELSON BAY.



### Defining character

Council has carried out a range of urban design studies and community consultation, to determine the important elements of place that will enhance the character of the town centre and achieve the community vision.

#### Sunny and inviting public spaces

Streets that are warm and bright provide activated public spaces, particularly in the winter months, making places where people want to spend time, for example spaces for outdoor dining in the centre.

These spaces become even more inviting when high quality, useful and engaging street furniture, trees, pavements and signage create a pleasant environment where people find it easy to spend time.

#### Views of the blue sky and vistas to the Bay

Nelson Bay is surrounded by pristine natural environment and beautiful waterways. Views can create a sense of connection with the natural environment.

#### A friendly village feel

In the main streets of Nelson Bay, buildings predominantly have two storey front facades with relatively narrow shops that encourage shoppers to continue moving along the street towards new shopping experiences.

Fine grained shop fronts with buildings that do not impose on pedestrians creates a boutique shopping experiences, distinguishing Nelson Bay from the rushed atmosphere experienced in generic shopping centres.



6

Port Stephens Council



## ITEM 1 - ATTACHMENT 2 REVITALISING NELSON BAY: A COMMUNITY GUIDE TO THE VISION FOR NELSON BAY.



### Enhancing character

Change is often necessary to retain the vitality, viability and significance of a place.

The Delivery Program proposes changes to the Port Stephens Local Environmental Plan 2013 (the PSLEP) and the Port Stephens Development Control Plan 2014 (PSDCP) to ensure new development incorporates the important elements of the character of Nelson Bay.

### Floor space ratio

New provisions will set maximum floor space ratios (FSR) for new development in the town centre. This promotes upper storey setbacks to maintain a village feel in the centre at street level, view sharing, and increases solar access to surrounding developments and public spaces.

### Minimum street frontages

The ratio of building height to width influences how new development contributes to the streetscape. New provisions for development to have minimum street frontage widths will ensure the height of new buildings do not dominate the streetscape.

### Building heights

Nelson Bay has a natural amphitheatre and changes to building height provisions will reinforce the topography of the town centre. Lower heights in the commercial centre will retain a village feel for pedestrians, whilst surrounding higher development will frame the town centre. Proposed heights have been informed by a visual analysis to ensure that important views and vistas are retained and enhanced.

### Active street frontages

New provisions requiring retail and business uses at street level will provide a more interesting experience for pedestrians and encouraging people to spend time in the town centre.

### Design excellence

New controls for design excellence will ensure that development gives consideration to, and contributes to, the important elements of local character.





**ITEM 1 - ATTACHMENT 2      REVITALISING NELSON BAY: A COMMUNITY GUIDE TO THE VISION FOR NELSON BAY.**

## Promoting a vibrant town centre

The community has told us that the focus for the future of Nelson Bay town centre is to make changes that will sustain a thriving retail, residential, recreational and tourism centre and to enhance the vibrancy of the streets.

Council is facilitating a people friendly town centre through a range of actions including car parking, transport and movement improvements, public domain improvements, and public space upgrades such as Apex Park. Other actions to support small businesses through business leaders luncheons and works, will stimulate the local economy.

The built environment also plays a key role in making a more vibrant place. Engaging buildings that enhance the local character provide a higher quality pedestrian experience, encouraging people to stay longer in the town centre.

### Support local shops and businesses

In addition to the actions above, new provisions requiring active street frontages will ensure new development provides improved spaces for new businesses. Design excellence controls will ensure that new development contributes to the village feel of the town centre, reinforcing a boutique shopping and lifestyle experience.

### Stimulate increased economic turnover outside peak holiday periods

To reduce the seasonality of economic turnover, there needs to be an increase in the local resident population. Proposed changes to building heights will encourage new development that delivers a population to support businesses outside of peak holiday periods.

### Create a place residents and visitors enjoy with cafes, restaurants, boutique shopping, events and activities

Significant work has been undertaken in relation to the look and feel of the public spaces in Nelson Bay, such as the preparation of the Nelson Bay Public Domain Plan and the Independent Parking Panel report.

In addition, the look and feel of buildings contributes significantly to the future vision. A range of new provisions and controls will ensure that new development enhances the important elements of local character, making Nelson Bay attractive to both residents and visitors into the future.





ITEM 1 - ATTACHMENT 2      REVITALISING NELSON BAY: A COMMUNITY  
GUIDE TO THE VISION FOR NELSON BAY.



## ITEM 1 - ATTACHMENT 2 REVITALISING NELSON BAY: A COMMUNITY GUIDE TO THE VISION FOR NELSON BAY.



### How will planning changes revitalise Nelson Bay?

Focusing new development in the town centre will provide a local population to support shops and businesses, and deliver a vibrant town centre.

#### Building height

Independent feasibility testing has shown that building height is the biggest constraint on new development in Nelson Bay. The proposed changes will provide a range of heights that respond to local topography and feasibility of development.

The community vision to maintain the village feel in the centre of Nelson Bay is achieved by retaining five storeys in this area.

Increased heights at the edges of the town centre will encourage new development and a resident population to support existing and new businesses.

#### Active street frontages

Continuous business or retail land uses that open directly to the footpath provide active, people-oriented street frontages.

Being able to see occupants inside these businesses provides interest that encourages pedestrian activity, and improves the sense of safety in the public domain.

"Active street frontages along main streets can create a rich street scene and cultural exchanges where buildings contribute to the life of a place." (Local Character and Place Guideline, NSW Department of Planning, Industry and Environment, February 2019).

#### Floor space ratio

New provisions that set maximum total floor space will ensure that new development achieves appropriate setbacks and building separation. This will maintain the village feel and promote solar access at street level.

#### Minimum street frontages

New provisions for minimum street frontages will ensure that new development will enhance the village feel of the town centre.

These provisions will avoid tall skinny buildings which can dominate the streetscape, by requiring sufficient width to provide upper storey setbacks.

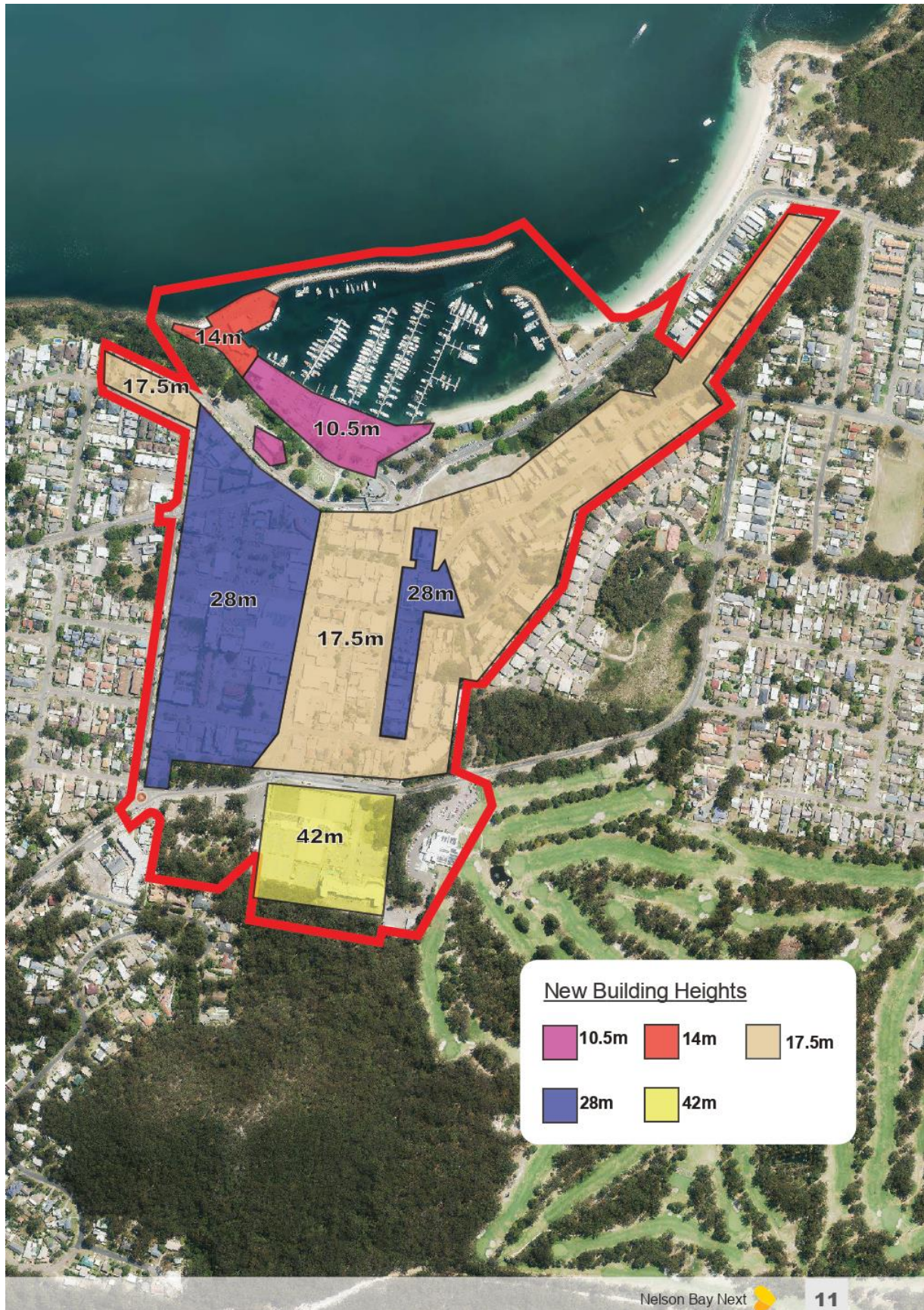
#### Design excellence

Design excellence requires development to contribute positively to a place. This can mean different things in different places. In Nelson Bay, this means reinforcing the important elements of local character and enabling the future vision.

New controls will require specific consideration of local character, and make reference to the independent Urban Design Panel.



ITEM 1 - ATTACHMENT 2      REVITALISING NELSON BAY: A COMMUNITY GUIDE TO THE VISION FOR NELSON BAY.



ITEM 1 - ATTACHMENT 2      REVITALISING NELSON BAY: A COMMUNITY  
GUIDE TO THE VISION FOR NELSON BAY.

## What's next

### Next steps

The changes to the Port Stephens Local Environmental Plan 2013 and the Port Stephens Development Control Plan 2014 are now on exhibition until 5pm on 31 July 2020.

### Have your say

You can tell us what you think by sending a submission to Council by

e - [RevitaliseNB@portstephens.nsw.gov.au](mailto:RevitaliseNB@portstephens.nsw.gov.au)

m - PO Box 42, Raymond Terrace NSW 2324

For full details of the exhibition process, see the [Public Exhibition](#) page of Council's website.

NELSON BAY  
**next**



PORT STEPHENS  
COUNCIL

council@portstephens.nsw.gov.au | 02 4988 0255

**PORTSTEPHENS.NSW.GOV.AU**    



## ITEM 1 - ATTACHMENT 3 DRAFT PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014 (EXHIBITED VERSION).

## D5

## NELSON BAY CENTRE

## D5 Nelson Bay Centre

## Application

This Part applies to the land identified in Figure DI (p. D-117) as Nelson Bay Centre

**Note:** State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development provides relevant controls for **residential flat buildings**, including provisions for view sharing and visual privacy. Where there is inconsistency between the provisions of the State Policy and this Development Control Plan, the provisions of the State Policy prevail.

## Objectives

D5.A	<b>General Precinct Provisions</b>	<ul style="list-style-type: none"> <li>To provide general provisions that apply to all precincts identified in the Nelson Bay Centre</li> <li>To maintain and enhance important views and ensure <b>development</b> integrates within the natural topography</li> <li>To ensure <b>development</b> contributes to the existing compact and interconnected street pattern</li> <li>To ensure buildings reinforce the natural amphitheatre landform of the Nelson Bay Town Centre</li> <li>To ensure <b>development</b> is designed so as to contribute positively to the surrounding <b>public domain</b></li> <li>To ensure <b>development</b> enhances the desired local character</li> </ul>
------	------------------------------------	--

## Requirements

D5.1	Significant <b>Vistas</b>	<p><b>Development</b> preserves the important <b>vistas</b> identified by Figure DJ (p. D-118)</p> <p><b>Note:</b> C1.3 requires street layout to respond to the topographical features of the site</p>
D5.2	Street Layout	<p>The street layout is consistent with Figure DJ (p. D-118)</p> <p><b>Note:</b> C1.3 requires the street network to be interconnected to provide a grid-like structure</p>
D5.3	Roof Design	<p><b>Development</b> is to ensure that roof tops do not <b>adversely impact</b> on the <b>public domain</b> when:</p> <ul style="list-style-type: none"> <li>Viewed from buildings at higher elevations</li> <li>When approaching the town centre</li> <li>Viewed from the street</li> </ul> <p><b>Note:</b> C2.1 requires <b>building height</b> to be in accordance with the <b>Local Environmental Plan</b>, clauses 4.3 and 5.6</p>
D5.4	NSW Coastal Planning Guidelines	<p>Building materials are reflective of existing buildings with reference made to the NSW Coastal Planning Guidelines<sup>12</sup></p> <p><b>Note:</b> C2.17 requires building facades to use materials, colours and architectural elements to reduce bulk and scale</p>
D5.5	Design Excellence	<p><b>Development</b> is to demonstrate design excellence, including:</p> <ul style="list-style-type: none"> <li>Consistency with the desired character statements set out in this chapter; and</li> <li>Consideration of impacts on the <b>public domain</b> including overshadowing and the scale of the streetscape.</li> </ul> <p><b>Development</b> may be referred to the Urban Design Panel.</p>

D-113

## ITEM 1 - ATTACHMENT 3 DRAFT PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014 (EXHIBITED VERSION).

## D5

## NELSON BAY CENTRE

Objectives		
D5.B	Desired Character - Village Precinct	<ul style="list-style-type: none"> <li>To provide character statements that were identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Village Precinct as identified by Figure DJ (p. D-118)</li> <li>To ensure street activation and passive surveillance through <b>activated street fronts</b></li> <li>To facilitate <b>development</b> that is safe and secure for pedestrians and contributes to <b>public domain</b> safety by incorporating principles of <b>Crime Prevention through Environmental Design (CPTED)</b>, such as: <ul style="list-style-type: none"> <li>Territorial Re-enforcement</li> <li>Surveillance</li> <li>Access Control</li> <li>Space/Activity Management</li> </ul> </li> </ul>
Requirement		
D5.6	Desired Character – Village Precinct	<p><b>Development</b> within the Village Precinct as identified on Figure DJ (p. D-118) has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li>Magnus Street is a pedestrian focused main street and acts as a focal point for the town centre</li> <li><b>Development</b> is fine grained and intensive retail and commercial that presents street activation <ul style="list-style-type: none"> <li><b>Development</b> provides continuity of an activated street frontage for localities where <b>business or retail premises</b> predominately face the street and have direct pedestrian access from the street</li> </ul> </li> </ul> <p><b>Note:</b> C2.18 requires street activation for those localities identified in Part D – Specific Areas</p> <ul style="list-style-type: none"> <li><b>Development</b> retains and enhances the existing character and function of Stockton and Magnus Streets as the main shopping streets in the town centre</li> <li>Tall buildings have setbacks above the street and are designed to ensure that they do not visually dominate at the street level <ul style="list-style-type: none"> <li>Facades should be detailed to promote clearly defined ground floor, first floor and second floor elements to manage the proportion of <b>building height</b></li> <li>Articulation of the ground floor should maintain the rhythm of the traditional main street shop fronts</li> </ul> </li> </ul> <p><b>Note:</b> C2.8 requires a minimum front setback of 3m from the <b>front property line</b> for the second floor</p>

D-114

## ITEM 1 - ATTACHMENT 3 DRAFT PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014 (EXHIBITED VERSION).

## D5

## NELSON BAY CENTRE

Objectives		
D5.C	Desired Character – Town Living and Commercial Precinct	<ul style="list-style-type: none"> <li>To provide character statements that were identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Town Living and Commercial Precinct as identified by Figure DJ (p. D-118)</li> <li>To encourage a diversity of <b>residential accommodation</b> types to provide <b>critical mass</b> to support the role of the village precinct</li> </ul>
Requirement		
D5.7	Desired Character – Town Living and Commercial Precinct	<p><b>Development</b> within the Town Living and Commercial Precinct as identified on Figure DJ (p. D-118) has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li>A wide range of uses including residential, retail and business <b>development</b> will occur in the precinct. This will attract a range of housing types including <b>residential flat buildings, multi dwelling housing</b> and shop top housing</li> <li>The precinct is appropriate for larger scale <b>developments</b>, with large footprints, that may not be suitable for the Village Precinct</li> <li>The mix of uses may encourage residential living with live-work opportunities and boutique commercial office space</li> <li><b>Development</b> will have regard for adjacent precincts that provide a change in scale</li> <li>Mature street plantings are to assist in enclosing the street for pedestrians and reducing the scale of large style buildings located in this area</li> </ul> <p><b>Note:</b> C1.5 requires that street trees be provided in accordance with the <b>tree technical specification</b><sup>1</sup></p>
Objectives		
D5.D	Desired Character – Tourism and Leisure Precinct	<ul style="list-style-type: none"> <li>To provide character statements that were identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Tourism and Leisure Precinct as identified by Figure DJ (p. D-118)</li> <li>To facilitate tourism and leisure precinct that provides consideration to the roles of adjoining precincts</li> </ul>
Requirement		
D5.8	Desired Character – Tourism and Leisure Precinct	<p><b>Development</b> within the Tourism and Leisure Precinct as identified on Figure DJ (p. D-118) has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li><b>Development</b> fronting Apex Park is to provide <b>activate street-fronts</b>, facilitate access to adjoining precincts and contribute linking the Town Centre through Apex Park to the <b>Foreshore</b></li> </ul> <p><b>Note:</b> C2.18 requires street activation for those localities identified in Part D—Specific Areas</p> <ul style="list-style-type: none"> <li><b>Development</b> for a hotel and conference centre would be appropriate in this location</li> </ul>

D-115

## ITEM 1 - ATTACHMENT 3 DRAFT PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014 (EXHIBITED VERSION).

## D5

## NELSON BAY CENTRE

Objectives		
D5.E	Desired Character – Foreshore Precinct	<ul style="list-style-type: none"> <li>To provide character statements identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Foreshore Precinct as identified by Figure DJ (p. D-118)</li> <li>To encourage <b>development</b> to address the waterfront and to provides an attractive safe pedestrian environment</li> <li>To encourage the establishment of a destination <b>development</b> that will integrate with established and future pedestrian circulation patterns</li> </ul>
Requirement		
D5.9	Desired Character – Foreshore Precinct	<p><b>Development</b> within the Foreshore Precinct as identified on Figure DJ (p. D-118) has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li><b>Development</b> provides legibility, which reinforces the visual and cultural importance of the waterfront <ul style="list-style-type: none"> <li><b>Development</b> incorporates public art, which can act as landmarks</li> </ul> </li> </ul> <p><b>Note:</b> C2.27 requires <b>commercial development</b> of a significant scale and that provides frontage to the <b>public domain</b> to incorporate public art in accordance with Council's <i>Public Art Policy and Guidelines for the approval and installation of public art in Port Stephens</i></p> <ul style="list-style-type: none"> <li>Water and marine related activities are complimentary to commercial and leisure related uses</li> <li>Accessible area that attracts a range of users</li> </ul>
Objectives		
D5.F	Desired Character – Green Link Precinct	<ul style="list-style-type: none"> <li>To provide a range of character statements identified through the Nelson Bay Town Centre and Foreshore Strategy to guide <b>development</b> within the Green Link Precinct as identified by Figure DJ (p. D-118)</li> <li>To encourage the establishment of a destination <b>development</b> that will integrate with established and future pedestrian circulation patterns</li> </ul>
Requirement		
D5.10	Desired Character – Green Link Precinct	<p><b>Development</b> within the Green Link Precinct as identified on Figure DJ (p. D-118) has regard for the following desired character statements:</p> <ul style="list-style-type: none"> <li>The Green Link at Nelson Bay's central meeting place is reinforced by connecting paths and as a future location of cyclist end of trip facilities</li> <li>A transition area that facilitates movement between the Town Centre and Foreshore</li> <li>This green space is appropriate for passive and small scale active recreation uses</li> </ul>

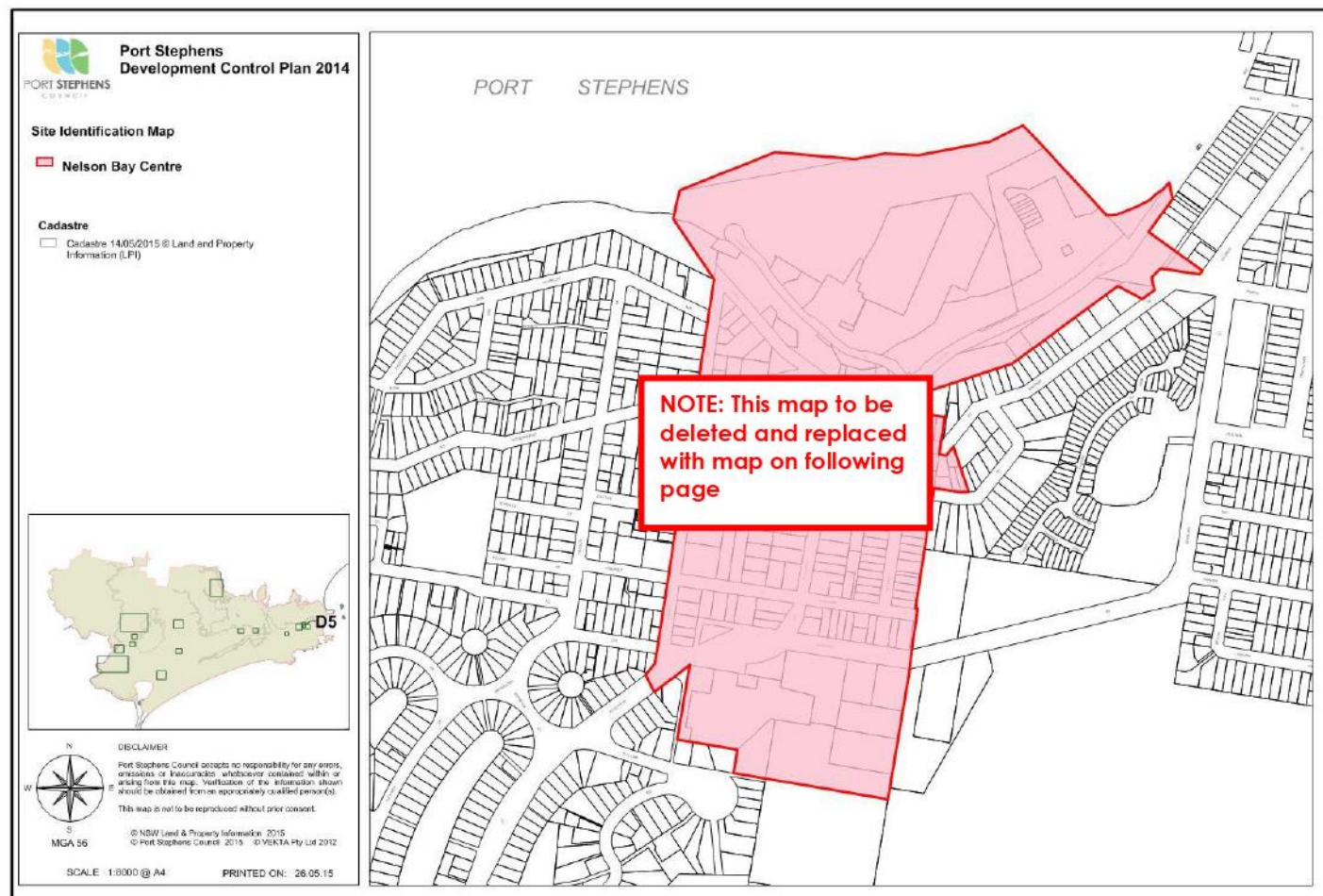
D-116



## D5

## NELSON BAY CENTRE

**Figure D1:**  
Nelson Bay  
Centre Land  
Application  
Map

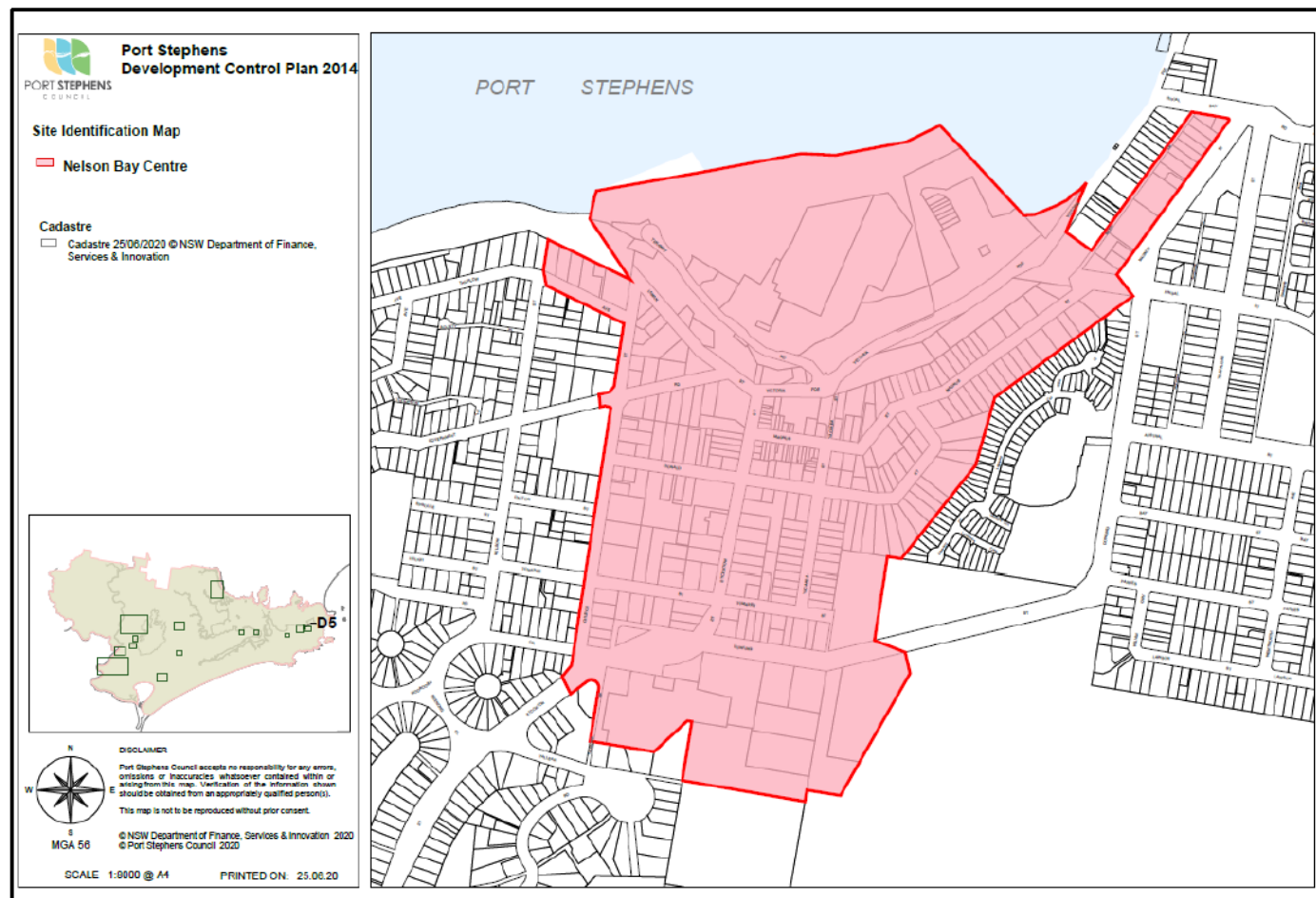


D-117

## D5

## NELSON BAY CENTRE

**Figure D1:**  
Nelson Bay  
Centre Land  
Application Map



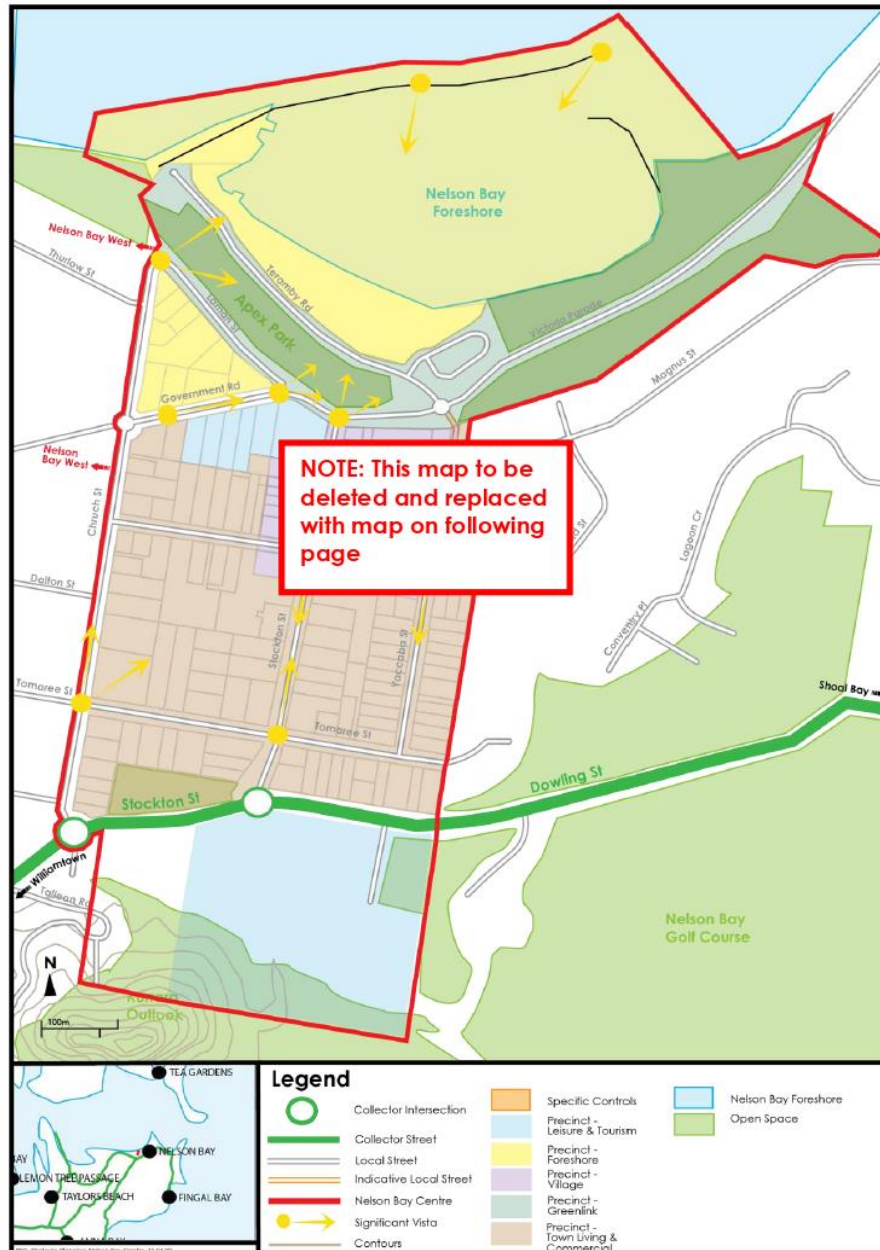
D-118

ITEM 1 - ATTACHMENT 3 DRAFT PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014 (EXHIBITED VERSION).

**D5**

NELSON BAY CENTRE

Figure DJ: Nelson Bay Centre Locality Controls Map



D-119



## D5

### NELSON BAY CENTRE

**Figure DJ:**  
Nelson Bay  
Centre Locality  
Controls Map



D-120

ITEM 1 - ATTACHMENT 3 DRAFT PORT STEPHENS DEVELOPMENT  
CONTROL PLAN 2014 (EXHIBITED VERSION).

## D6

## NELSON BAY WEST

## D6 Nelson Bay West

Application					
This Part applies to the land identified in Figure DK (p. D-121) as Nelson Bay West					
Objective					
D6.A	Setbacks	To ensure <b>development</b> provides continuity and consistency to the <b>public domain</b>			
Requirements					
D6.1	Front Setback	Minimum front setback of 6m			
D6.2	Secondary Setbacks (Corner Lots)	Minimum <b>secondary setback</b> of 3m			
D6.3	Side Setback	Minimum side setback of 2m for Town Centre Edge, Foreshore, Wahgunyah Neighbourhood and Lower Slopes			
D6.4		Minimum side setback of 3m for Upper Slopes and Hill Tops <b>Note:</b> C4.10 requires a minimum <b>ground level (finished)</b> side setback of 0.9m			
Objective					
D6.B	On-site Detention	To regulate the impacts on the capacity of the <b>public drainage</b> system			
Requirement					
D6.5	Impervious surfaces	<b>On-site detention</b> is required where <b>impervious surfaces</b> exceed the listed percentage of <b>site area</b> : <ul style="list-style-type: none"><li>Town Centre Edge – 75%</li><li>Foreshore – 60%</li><li>Wahgunyah – 65%</li><li>Lower Slopes – 65%</li><li>Upper Slopes and Hilltops – 50%</li></ul> <b>Note:</b> B4.2 requires <b>on-site detention</b> where <b>impervious surfaces</b> exceed the total percentage of <b>site area</b> as listed under Figure BD (p. B-29)			
Objective					
D6.C	Landscaping	To ensure landscaping is within context through the appropriate selection of species and site coverage			
Requirement					
D6.6	Landscape Coverage	A <b>Landscape Plan</b> within Nelson Bay West achieves the following <b>site area</b> percentage coverage targets:			
		Location	Landscape Area	Endemic Species	Native Vegetation
		Town Centre Edge	25%	10%	N/A
		Foreshore	40%	20%	N/A

D-121

ITEM 1 - ATTACHMENT 3 DRAFT PORT STEPHENS DEVELOPMENT  
CONTROL PLAN 2014 (EXHIBITED VERSION).

**D6**

NELSON BAY WEST

		Wahgunyah	34%	20%	N/A
		Lower Slopes	34%	20%	N/A
		Upper Slopes	50%	35%	70%
		Hill Tops	50%	35%	90%

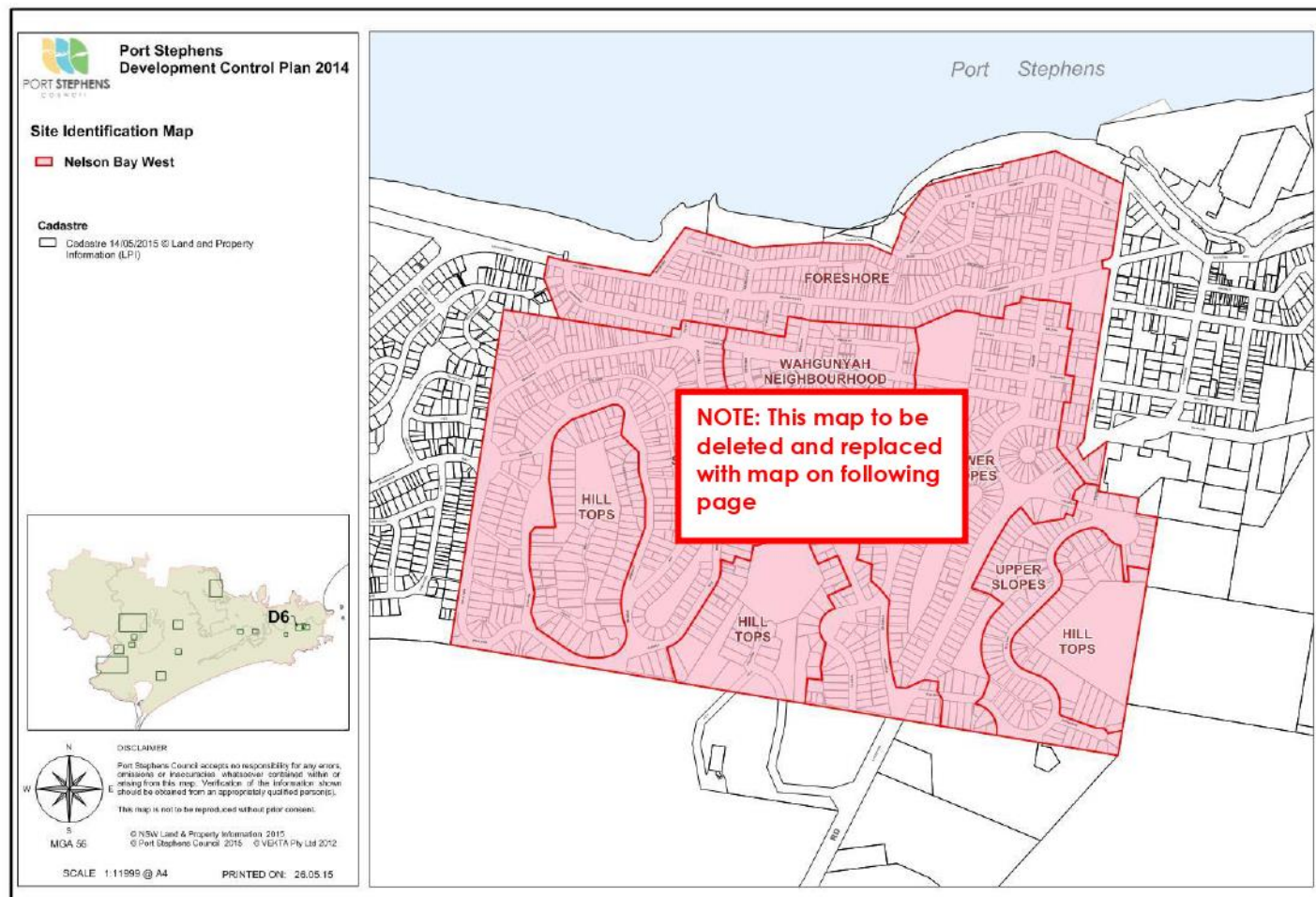
D-122



**D6**

## NELSON BAY WEST

**Figure DK:**  
Nelson Bay  
West Land  
Application  
Map

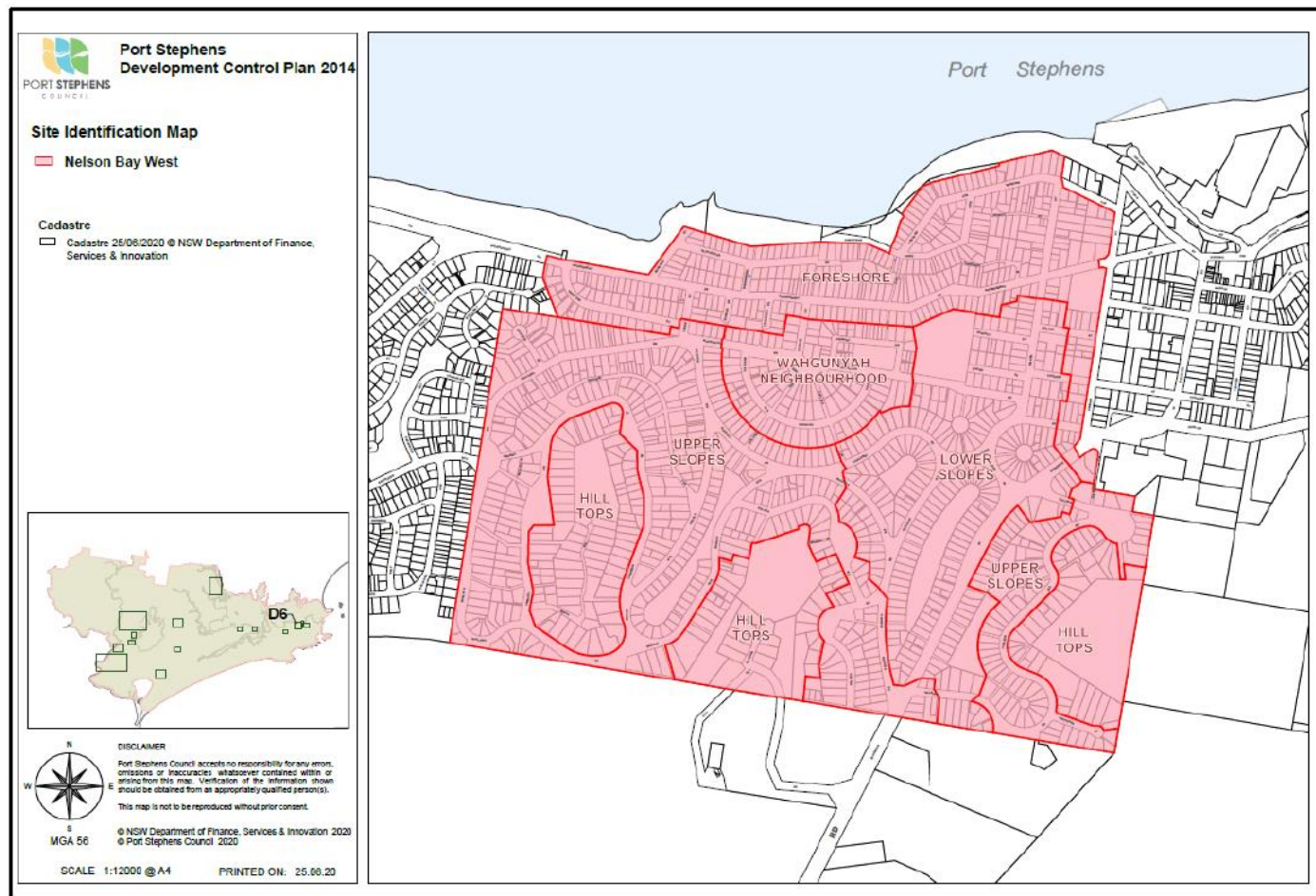


D-123

## D6

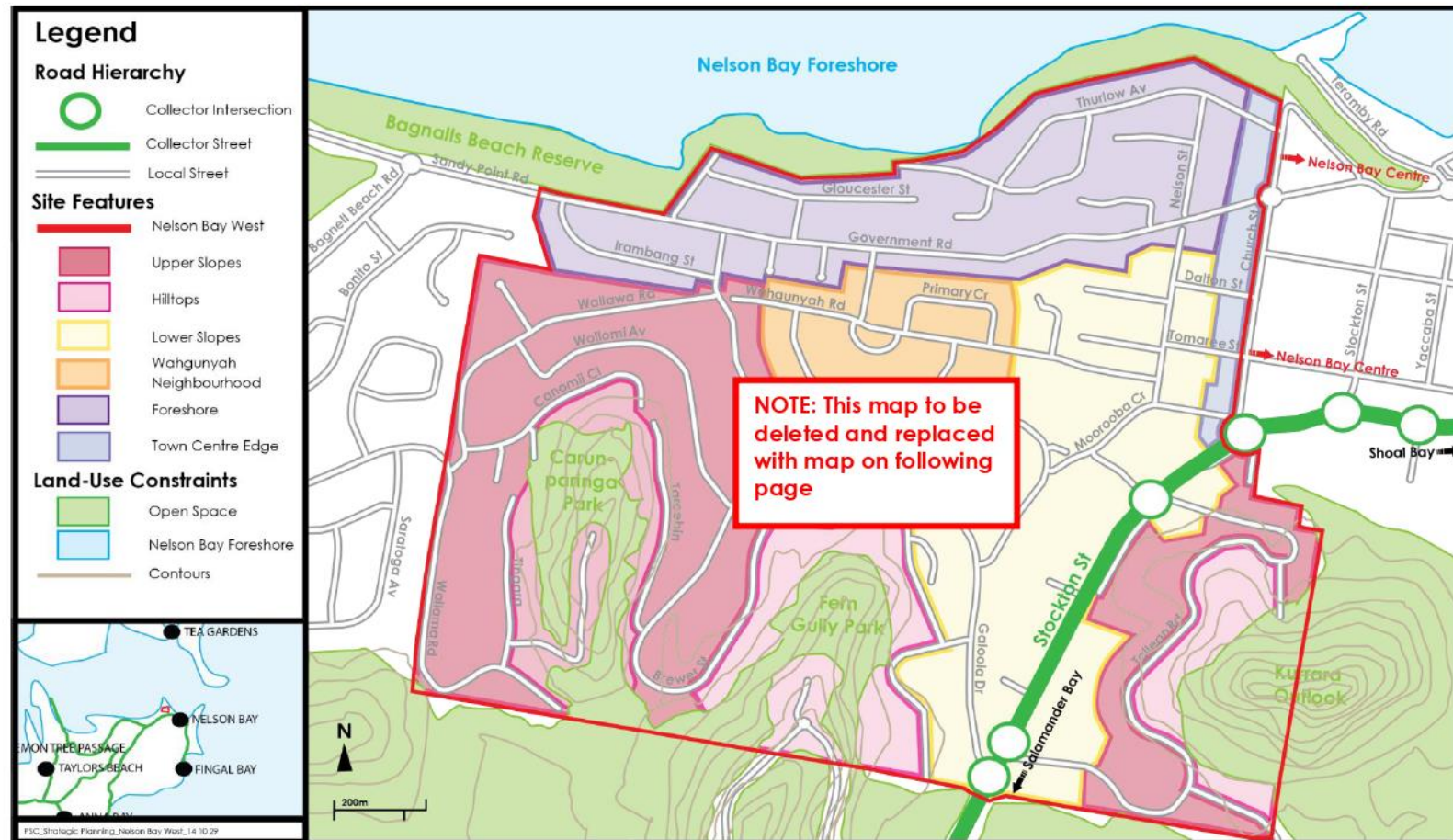
### NELSON BAY WEST

**Figure DK:**  
Nelson Bay  
West Land  
Application Map



D-124



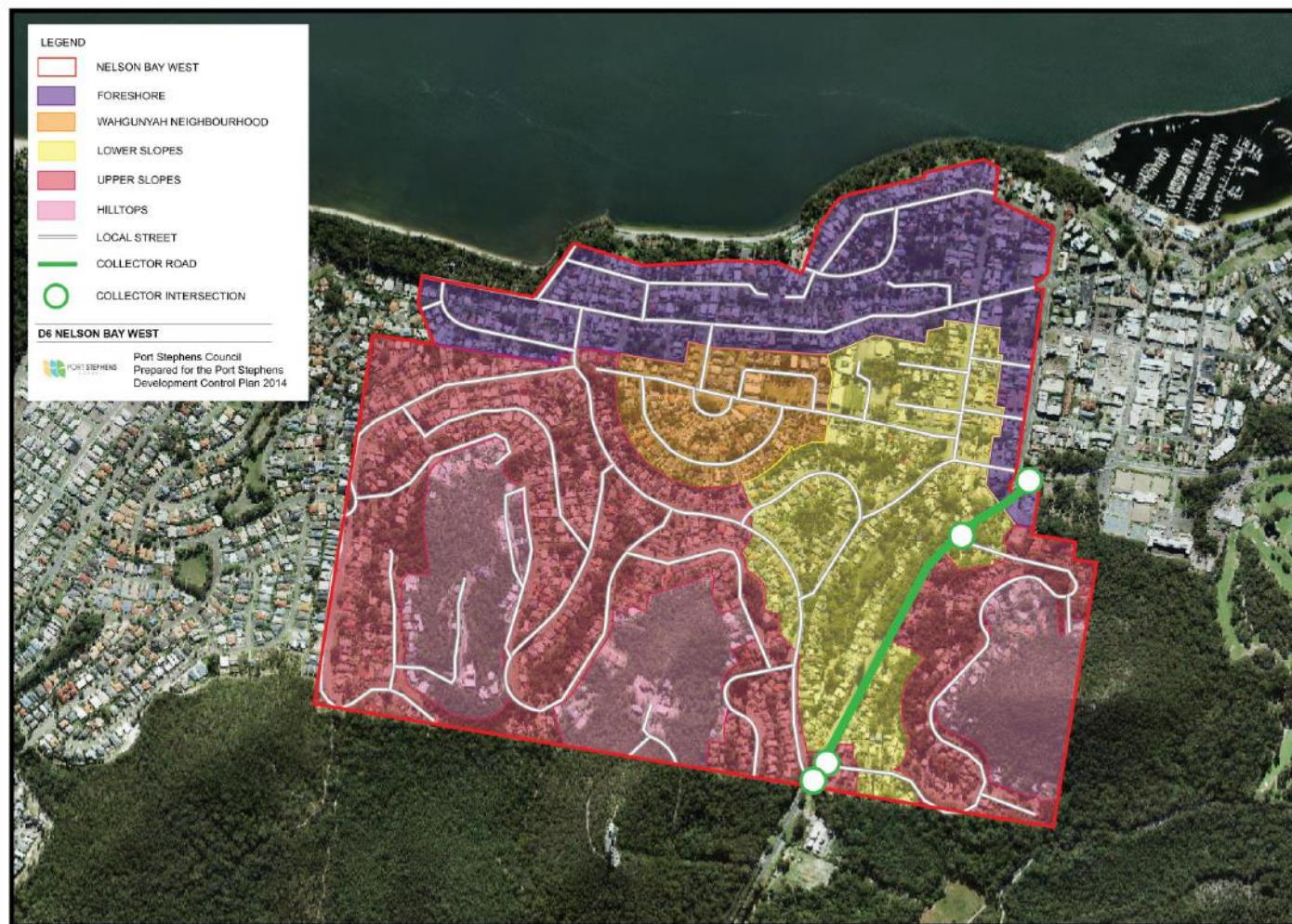
**D6****NELSON BAY WEST****Figure DL:** Nelson Bay West Locality Controls Map

D-125

## D6

### NELSON BAY WEST

**Figure DL:**  
Nelson Bay  
West Locality  
Controls Map



D-126



**ITEM NO. 2**

**FILE NO: 20/312742  
EDRMS NO: PSC2020-02118**

**PORT STEPHENS DEVELOPMENT CONTROL PLAN 2014 - VARIOUS  
AMENDMENTS TO IMPROVE THE DEVELOPMENT ASSESSMENT PROCESS**

REPORT OF: JANELLE GARDNER - ACTING STRATEGY & ENVIRONMENT  
SECTION MANAGER  
GROUP: DEVELOPMENT SERVICES

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Receive and note the submissions received during the exhibition period  
**(ATTACHMENT 2).**
- 2) Approve the amendment to the Port Stephens Development Control Plan 2014  
**(ATTACHMENT 1).**
- 3) Provide public notice that the amendment to the Port Stephens Development Control Plan 2014 has been approved in accordance with the Environmental Planning and Assessment Regulation 2000.

---

**BACKGROUND**

The purpose of this report is to seek Council approval for the Port Stephens Development Control Plan 2014 (DCP 2014) (DCP amendment) **(ATTACHMENT 1).**

The DCP amendment will implement Action 13 of the Port Stephens Local Housing Strategy, to streamline assessments and reduce the cost of housing, and Action 8.4 of the Port Stephens Local Strategic Planning Statement, to review policies for water sensitive design.

The DCP amendment will improve the development application (DA) assessment process and reduce costs for applicants. The DCP amendment also includes changes to the document structure, layout and appearance to increase readability and ease of use.

One of the changes that will result in significant cost savings for homeowners, is the removal of the requirement to provide Stormwater Quality Improvement Devices (SQIDs) for minor residential development, including single dwellings, granny flats and sheds. SQIDs include vegetated raingardens and other devices to filter water run-off from roofs and paved surfaces. This change will deliver savings of between \$5000 and \$20,000 as it will minimise additional construction costs and reduce potential fees and charges.

The DCP amendment gives effect to the Council resolution on 26 November 2019, Minute Number 224 (**ATTACHMENT 3**) to ensure adequate on-site car parking is required for marina development and the Council resolution on 24 September 2019, Minute Number 164 (**ATTACHMENT 4**) to enable a reduction in parking requirements for new commercial and business uses in town centres if they provide electric vehicle equipped car share spaces.

The DCP amendment was publicly exhibited from 11 September 2020 to 14 October 2020. During public exhibition, 5 submissions were received. The submissions are summarised and addressed in (**ATTACHMENT 2**).

Following exhibition, amendments were made to the draft DCP 2014 in response to consultation with the Commonwealth Department of Defence. An amendment was also made to respond to a community submission and the submission from Transport for NSW about the indicative location of an intersection at Heatherbrae. The DCP amendments are detailed in (**ATTACHMENT 2**).

## **COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

## **FINANCIAL/RESOURCE IMPLICATIONS**

There are no known financial or resource implications for Council as a consequence of the proposed recommendations.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

## **LEGAL, POLICY AND RISK IMPLICATIONS**

There are no known legal, policy or risk implications resulting from the proposed recommendations.

Environmental Planning & Assessment Act 1979 (EP&A Act)

Division 3.6 of the EP&A Act relates to development control plans. Should Council resolve to proceed with the DCP amendment, all necessary matters in preparing the plan will be carried out in accordance with the EP&A Act.

Environmental Planning & Assessment Regulations 2000 (EP&A Regulations)

Division 2 of Part 3 of the EP&A Regulations specifies the requirements for public participation. The recommendation is in accordance with the provisions of the EP&A Regulations.

Port Stephens Development Control Plan 2014 (DCP 2014)

Section B of the DCP 2014 outlines general provisions applicable to most development applications and development types, Section C of the DCP 2014 outlines requirements and objectives applicable to specific development types (such as commercial development), and Section D applies to specifically mapped areas.

The changes proposed to each section outlined above, will make the DCP 2014 more readable, easier to use, reduce complexity of the development assessment process, and reduce the overall cost of development.

The DCP amendment will align the DCP 2014 with recently updated policies, assessment guidelines and specifications of both Council, State and Commonwealth agencies, providing clarity and seeking to streamline the assessment of minor development applications.

An amendment to the DCP 2014 to make minor amendments and corrections was last completed in 2018. A housekeeping amendment is prepared every 2 years to ensure Council's planning framework remains current.

Port Stephens Local Strategic Planning Statement

The DCP amendment is consistent with Action 8.4 in the Port Stephens Local Strategic Planning Statement, which requires Council to review and consider options to improve water sensitive design outcomes for the environment and home owners.

Port Stephens Local Housing Strategy (Live Port Stephens)

The DCP amendment will implement Action 13 of Live Port Stephens, which requires Council to investigate improvements to better streamline assessments to reduce the cost of housing, including by providing more flexible water quality requirements for infill housing.

<b>Risk</b>	<b><a href="#">Risk Ranking</a></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that if the DCP amendment is not made that the cost savings and reduction in assessment timeframes will not be realised.	Medium	Adopt the recommendations.	Yes
There is a risk that if the DCP amendment is not made the DCP 2014 will contain outdated requirements and provisions.	Medium	Adopt the recommendations.	Yes

## **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The DCP amendment will increase usability of the DCP 2014 and amend or remove unnecessary controls to assist with the following:

- Development assessment timeframes (reduction of up to 14 days for some applications).
- Cost and complexity during the assessment process by way of requests for additional information, redesign or delays in commencing construction.
- Cost and delays incurred by homeowners during construction due to requirements to install raingardens (up to \$20,000).
- Resourcing and costs incurred by Council during the assessment of minor applications.

The proposed amendments, whilst relatively minor in nature, will result in positive economic and social outcomes. Environmental impacts as a result of the DCP amendment are unlikely to be significant. In relation to water quality, there is demonstrated evidence that the current regulatory approach for single dwellings and small scale residential development has had negligible positive impacts, as outlined above.

Therefore, the proposed reform is considered low risk and there are actions to ensure stormwater quality improvements in the Port Stephens Local Strategic Planning Statement and Port Stephens Local Housing Strategy and through the development of the Coastal Management Plan.

## **CONSULTATION**

Consultation with key stakeholders has been undertaken by the Strategy and Environment section to identify and consider any issues prior to exhibition.

### Internal

Internal consultation has been undertaken with the Facilities and Services Group, Development Assessment and Compliance section, and the Natural Resources unit on the DCP amendment. All stakeholders are in support of the DCP amendment and recommendations.

Development Assessment and Compliance are working to prepare updated development application forms, templates and guides which reflect and support the DCP amendment.

### External

External consultation has been undertaken with Hunter Water Corporation and the Commonwealth Department of Defence in relation to changes proposed in Chapter B4 (Drainage and Water Quality) and Chapter B7 (Williamstown RAAF Base – Aircraft Noise and Safety) of the DCP 2014.

Hunter Water Corporation has recently changed their water quality requirements and no longer advise developers to install individual raingardens as water quality devices in the drinking water catchment as the issues with maintenance and retention make these devices redundant. These are the same reasons for the changes proposed in the DCP amendment and Hunter Water Corporation expressed support for the scoping and future review of more effective water quality requirements.

The Commonwealth Department of Defence provided a submission concerning the removal of control B7.9 and B7.10. In response to the submission, 2 amendments were made to the draft DCP 2014 to clarify the provisions that protect airport operations and are detailed in **(ATTACHMENT 2)**.

Consultation with Transport for NSW was undertaken as part of the preparation of a planning proposal to rezone land at Heatherbrae, which relates to the changes proposed in Chapter D1 (Heatherbrae). In response to consultation with Transport for NSW, an amendment was made to the location of an indicative intersection with the Pacific Highway on the map in Chapter D1, detailed in **(ATTACHMENT 2)**.

### Community

The DCP amendment was placed on public exhibition from 11 September 2020 to 14 October 2020. Submissions were invited via email and post and a notification was placed on the Port Stephens Council website.



In response to the exhibition of the DCP amendment, 4 community submissions were received. A summary and response to the submissions are detailed in **(ATTACHMENT 2)**.

In response to 1 of the community submissions, and the consultation undertaken with Transport for NSW, an amendment was made to the location of an indicative intersection with the Pacific Highway on the map in Chapter D1, as detailed in **(ATTACHMENT 2)**.

## **OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

## **ATTACHMENTS**

- 1) Port Stephens Development Control Plan 2014 - Amendment. (Provided under separate cover)
- 2) Submissions summary. [↓](#)
- 3) 26 November 2019 - Minute No. 224. [↓](#)
- 4) 24 September 2019 - Minute No. 164. [↓](#)

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

Nil.

## ITEM 2 - ATTACHMENT 2 SUBMISSIONS SUMMARY.

## Submissions on the draft DA Process Improvement Development Control Plan (draft DCP)

No.	Author of submission	Comment	Council response
1	Berry Park Pty Ltd	The submission requests the legend in Figure DC of the draft DCP Amendment be amended to refer to the 'Indicative Local Street' as an "Indicative Local Street/Right of Way" to allow for optional private road access arrangements.	The purpose of identifying the indicative local street in Figure DC is to encourage the coordinated development of an intersection and internal road layout that provides access to all lots proposed to be rezoned. The DCP would not prevent an alternative appropriate private road arrangement that could meet this objective.  It is not necessary to amend the draft DCP to address this submission.
2	Tomaree Ratepayers and Residents Association	The submission suggests that the removal of 'at-source' water quality improvement requirements in favour of costly downstream catchment level measures is counterintuitive.	Surveys of stormwater quality improvement devices installed for minor residential developments has demonstrated that these devices are largely ineffective, with only 16% of those surveyed remaining in an operational state 6 months after installation. Requirements for these devices attract a significant up-front cost, impacting housing affordability.  Where councils in NSW have implemented catchment solutions to water quality, data has demonstrated significant cost savings when compared to the costs of carrying out compliance activities to ensure individual systems remain in an operational state.  Council's adopted Local Strategic Planning Statement and Local Housing Strategy include actions to investigate and implement precinct wide solutions for water quality for small scale residential development.  It is not proposed to amend the draft DCP to address this submission.

## ITEM 2 - ATTACHMENT 2

## SUBMISSIONS SUMMARY.

3	Catalyze Property Consulting Pty Ltd	<p>The submission objects to the location of the indicative intersection with the Pacific Highway in Figure DC of the draft DCP Amendment as it may delay the development of adjacent land until the intersection and inter-allotment access have been provided. The submission requested Figure DC be amended to locate the indicative intersection between 2179 and 2199 Pacific Highway, Heatherbrae over an existing privately owned road.</p>	<p>The purpose of the indicative local street and intersection in Figure DC is to encourage the coordinated development of an intersection and internal road layout that provides access to all lots subject to the proposed rezoning. The location of the intersection was informed by the Traffic Impact Assessment provided to support a related rezoning request for the relevant land.</p> <p>The DCP would not prevent an alternative intersection and road layout that was supported by appropriate studies and provided access to all lots subject to the proposed rezoning.</p> <p>It is not proposed to amend the draft DCP to address this submission.</p>
		<p>The submission requests Council provide advice on how the existing private road located between 2179 and 2199 Pacific Highway, Heatherbrae will operate.</p>	<p>Any future development application will be required to consider the impact of development on the existing private road and its operations. It is not considered that this matter is likely to prejudice the orderly development of the subject land.</p> <p>It is not proposed to amend the draft DCP to address this submission.</p>
		<p>The submission requests Council provide advice on how the indicative intersection in Figure DC of the draft DCP would be funded and apportioned.</p>	<p>An intersection will be a requirement to develop relevant land for commercial development. The landowners/developers acting on the consent would be required to fund this intersection. The apportionment of costs is a civil matter to be negotiated between the landowners and developers.</p> <p>It is not proposed to amend the draft DCP to address this submission.</p>

## ITEM 2 - ATTACHMENT 2 SUBMISSIONS SUMMARY.

4	City Plan, on behalf of Suez Recycling and Recovery Pty Ltd	The submission requests an amendment to existing control D14.36 to clarify that the 250m methane buffer surrounding the Newline Road Waste Management Facility starts at the lot boundary.	The existing control applies to any development within 250m of the facility or any land in proximity of the facility, as identified by Council. The control is supported by Figure DAC, which shows the location of the methane buffer. This figure makes it sufficiently clear that the buffer follows the outline of the lot boundaries, and is land identified by Council for the purposes of applying this control.  It is not proposed to amend the draft DCP to address this submission.
		The submission requests an amendment to existing control D14.37 to require new development within the public infrastructure buffer to the Newline Road Waste Management Facility to 'be designed, sited or managed to avoid any adverse impact such as (but not limited to) noise, odour, vibration, dust, or visual impacts arising from the authorised use and operation of the waste management facility'. The submission also requests the public infrastructure buffer be extended to a distance of 2km from the Newline Road Waste Management Facility.	Clause 7.11 of the Port Stephens Local Environmental Plan 2013 already provides for a public infrastructure buffer around the Newline Road Waste Management Facility to reduce land use conflict. That clause includes a restriction on the grant of development consent unless specific impacts and listed matters have been considered. A DCP requirement would duplicate this clause and would have less weight in an assessment given the DCP does not contain statutory requirements and is a guideline document only (see section 3.42 of the <i>Environmental Planning and Assessment Act 1979</i> ). Any likely impacts that are relevant on the land outside of the existing buffer identified in the legislation will still be required to be considered as part of any environmental assessment.  It is not proposed to amend the draft DCP to address this submission.
		The submission requests a new control to ensure flood free access from the Newline Road Waste Management Facility is not precluded as a result of development on adjacent land.	The submission notes that landowner discussions are currently underway to secure a legal right of carriageway over adjacent land to achieve this objective. Further, a

## ITEM 2 - ATTACHMENT 2 SUBMISSIONS SUMMARY.

			<p>development application is currently under assessment over the adjoining land. The proposal would not currently preclude the formalisation of a right of carriageway or similar.</p> <p>It is not proposed to amend the draft DCP to address this submission.</p>
5	Department of Defence	<p>The removal of control B7.9 is not supported, as even though relevant requirements are included in clause 7.4 of the Port Stephens Local Environmental Plan 2013 (LEP), these requirements should also be reinforced through the DCP.</p>	<p>The draft DCP aims to improve efficiency of the development assessment process through a range of changes, including the removal of controls that duplicate the requirements of other legislation. The existing control duplicates the requirements of clause 7.4 of the LEP, and so removal of this control does not alter the requirements that apply to new development.</p> <p>The DCP also includes a copy of the RAAF Base Williamtown Obstacle Limitation or Operations Surface Map and Height Trigger Map as Figure BO. As a result of this submission, a note will be added linking Figure BO and the operation of clause 7.4 of the LEP to ensure the requirements are clear.</p>
		<p>The removal of control B7.10 is not supported, as there are no other controls that require the control of lighting surrounding RAAF Base Williamtown, which has the potential to be confusing for pilots if new buildings have lighting with similarities to the approach or runway lighting, may impede a pilots ability to see, and may affect visibility from the air traffic control tower.</p>	<p>It is noted that the existing control does not actually include any requirements for new development, resulting in the proposal to delete the control. Following further consultation with the Department of Defence, it became apparent that the safety of operations at the RAAF Base Williamtown would be improved by including a lighting control. The relevant area to which the control should apply is already identified on the existing extraneous lighting maps already included as Figure BP and BQ.</p> <p>As a result of the submission, it is proposed to rename</p>

## ITEM 2 - ATTACHMENT 2 SUBMISSIONS SUMMARY.

			<p>Objective BE to 'extraneous lighting', and include a new control:</p> <p>Outdoor lighting installed as part of a <b>development</b> in the area identified in Figure BP and/or BQ is to comply with the extraneous lighting controls detailed in the CASA Manual of Standards (MOS-139) Aerodromes.</p>
--	--	--	--

**MINUTES ORDINARY COUNCIL - 26 NOVEMBER 2019****NOTICE OF MOTION****ITEM NO. 2****FILE NO: 19/358909  
EDRMS NO: PSC2017-00019****AMEND THE DEVELOPMENT CONTROL PLAN (DCP) TO INCLUDE ADEQUATE  
CAR PARKING REQUIREMENTS FOR MARINAS****MAYOR:      RYAN PALMER****THAT COUNCIL:**

- 1) Amend the Port Stephens Development Control Plan 2014 to ensure adequate on-site car parking is required for marina development.

**ORDINARY COUNCIL MEETING - 26 NOVEMBER 2019  
MOTION**

<b>224</b>	<b>Mayor Ryan Palmer Councillor Ken Jordan</b>  It was resolved that Council amend the Port Stephens Development Control Plan 2014 to ensure adequate on-site car parking is required for marina development.
------------	---

In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Ryan Palmer, Crs Chris Doohan, Ken Jordan, Paul Le Mottee, John Nell and Steve Tucker.

Those against the Motion: Nil.

**BACKGROUND REPORT OF: KATE DRINAN – DEVELOPMENT ASSESSMENT &  
COMPLIANCE SECTION MANAGER****BACKGROUND**

The Port Stephens Development Control Plan 2014 (DCP 2014) requires that development that has the potential to create demand for on-site parking provide parking in accordance with the DCP (Figure BT). For marina development, the car parking requirements are provided below:



**MINUTES ORDINARY COUNCIL - 26 NOVEMBER 2019**

- 0.6 spaces per wet berth
- 0.2 spaces per dry storage berth
- 0.2 spaces per swing mooring
- 0.5 spaces per marina employee

The above requirements are consistent with the RTA Guide to Traffic Generating Development. However these requirements do not consider the potential ancillary uses which may generate additional parking requirements.

Under the Port Stephens Local Environmental Plan 2013 (LEP 2013) a marina is defined as:

“A permanent boat storage facility (whether located wholly on land, wholly on a waterway or partly on land and partly on a waterway), and includes any of the following associated facilities—

- (a) any facility for the construction, repair, maintenance, storage, sale or hire of boats,
- (b) any facility for providing fuelling, sewage pump-out or other services for boats,
- (c) any facility for launching or landing boats, such as slipways or hoists,
- (d) any car parking or commercial, tourist or recreational or club facility that is ancillary to the boat storage facility,
- (e) any berthing or mooring facilities.”

The above definition can limit Council's ability to require car parking for commercial or other components of a marina, noting that those components fall within the definition of marina and, as such, only the marina car parking requirements apply.

Given the nature of a marina and the varied uses that may be included under its definition, the DCP 2014 could be amended to require a parking demand study to accompany applications for marina developments and ensure adequate on-site car parking is provided for the marina and any of the proposed ancillary uses.

**ATTACHMENTS**

Nil.

**MINUTES ORDINARY COUNCIL - 24 SEPTEMBER 2019****ITEM NO. 4****FILE NO: 19/229869  
EDRMS NO: PSC2019-03****ELECTRIC VEHICLE CHARGING POINTS FOR NEW DEVELOPMENTS**

REPORT OF: STEVEN PEART - STRATEGY & ENVIRONMENT SECTION  
MANAGER  
GROUP: DEVELOPMENT SERVICES

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Note the report on the review of proposed requirements for Electric Vehicle (EV) Charging Points (**ATTACHMENT 2**).
- 2) Note the proposed changes to the national building regulations and NSW planning system to support requirements for EV Charging Points.
- 3) Amend the Port Stephens Development Control Plan 2014 to enable new commercial and other business uses required to provide parking in town centres to seek a reduction in parking requirements if they provide EV equipped car share spaces.

**ORDINARY COUNCIL MEETING - 24 SEPTEMBER 2019  
MOTION**

<b>164</b>	<b>Councillor John Nell Councillor Jaimie Abbott</b>  It was resolved that Council:  <ol style="list-style-type: none"><li>1) Note the report on the review of proposed requirements for Electric Vehicle (EV) Charging Points (<b>ATTACHMENT 2</b>).</li><li>2) Note the proposed changes to the national building regulations and NSW planning system to support requirements for EV Charging Points.</li><li>3) Amend the Port Stephens Development Control Plan 2014 to enable new commercial and other business uses required to provide parking in town centres to seek a reduction in parking requirements if they provide EV equipped car share spaces.</li></ol>
------------	---

In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Ryan Palmer, Crs Jaimie Abbott, Giacomo Arnott, Chris Doohan, Glen Dunkley, Ken Jordan, Paul Le Mottee, John Nell, Sarah Smith and Steve Tucker.

**MINUTES ORDINARY COUNCIL - 24 SEPTEMBER 2019**

Those against the Motion: Nil.

**BACKGROUND**

On 9 July 2019, Council resolved to request the General Manager to prepare a report on the inclusion of Electric Vehicle (EV) Charging Points for all new developments in Port Stephens (Minute No.154) **(ATTACHMENT 1)**.

A report has been prepared to provide a high level review of requirements for EV Charging Points, including the options and alternatives available (the Report) **(ATTACHMENT 2)**.

The Report notes proposed changes to the national building regulations and NSW planning system which will support councils including requirements for EV Charging Points. The Report also notes proposed State requirements that would apply to new residential flat buildings. These initiatives are planned to occur in the short to medium term.

Given these related initiatives, the Report recommends facilitating EV Charging Points in town centres by providing parking concessions for commercial and other business uses if EV equipped car share spaces are provided.

This recommendation is consistent with the Greater Newcastle Metropolitan Plan and the recommendations of the Nelson Bay Independent Citizens Parking Panel.

It is noted that the Local Strategic Planning Statement (the Statement) currently being prepared will include a range of actions related to adaptive and alternative transport that can reduce pollution, congestion and transport costs. These actions will be implemented through Council's planning documents when the Statement has been adopted and the State and national policy and regulatory framework has been updated.

**COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

**FINANCIAL/RESOURCE IMPLICATIONS**

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		
Reserve Funds	No		

**MINUTES ORDINARY COUNCIL - 24 SEPTEMBER 2019**

Source of Funds	Yes/No	Funding (\$)	Comment
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

There are no known significant legal, policy or risk implications resulting from the proposal. Legal and policy considerations have been addressed in detail at **(ATTACHMENT 2)**.

Environmental Planning & Assessment Act 1979 (EP&A Act)

Division 3.6 of the EP&A Act sets out the matters that a Development Control Plan can contain. The proposed amendments are consistent with the EP&A Act.

Environmental Planning & Assessment Regulations (EP&A Regulations)

Division 2 of Part 3 of the EP&A Regulations specifies the requirements for public participation of a draft Development Control Plan. The recommendation is in accordance with the provisions of the EP&A Regulations.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the amendment will be inconsistent with, or will duplicate, future State planning requirements and national building requirements related to EV Charging Points.	Low	Prepare the amendment to encourage new development to make provision for EV Charging Points rather than setting out requirements for EV Charging Points.	
There is a risk that the amendment will be subject to legal challenge.	Low	Publicly exhibit the amendment in accordance with the requirements in the EP&A Act.	

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The proposed Development Control Plan amendment will have overall positive social, environmental, and economic implications given it will support transport options that reduce pollution, congestion and costs.



**MINUTES ORDINARY COUNCIL - 24 SEPTEMBER 2019****CONSULTATION**

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section.

Internal

Internal consultation with the Development Assessment and Compliance Section was undertaken with no objections to the recommendation.

External

Community consultation, including consultation with relevant State agencies will be undertaken during the public exhibition process. Consultation during public exhibition will include the Implementation Panels for Raymond Terrace, Medowie and Nelson Bay as well as the Nelson Bay Independent Citizens Parking Panel.

In accordance with the planning legislation, the draft Development Control Plan amendment will go on public exhibition for 28 days.

**OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

**ATTACHMENTS**

- 1) Minutes No. 154 - 9 July 2019. [↓](#)
- 2) Report on Electric Vehicle Charging Points. [↓](#)

**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.

**MINUTES ORDINARY COUNCIL - 24 SEPTEMBER 2019****ITEM 4 - ATTACHMENT 1      MINUTES NO. 154 - 9 JULY 2019.****MINUTES ORDINARY COUNCIL - 9 JULY 2019****NOTICE OF MOTION**

ITEM NO. 1

FILE NO: 19/166569  
EDRMS NO: PSC2017-00019**ELECTRIC VEHICLE CHARGING POINTS FOR NEW DEVELOPMENTS****COUNCILLOR:** JOHN NELL**THAT COUNCIL:**

- 1) Request the General Manager to prepare a report on the inclusion of Electric Vehicle Charging Points for all new developments in Port Stephens.

**ORDINARY COUNCIL MEETING - 9 JULY 2019  
MOTION**

154	<b>Councillor John Nell Councillor Sarah Smith</b>  It was resolved that Council request the General Manager to prepare a report on the inclusion of Electric Vehicle Charging Points for all new developments in Port Stephens.
-----	--

**BACKGROUND REPORT OF: STEVEN PEART – STRATEGY AND  
ENVIRONMENT SECTION MANAGER****BACKGROUND**

Council officers will complete a high level review on the inclusion of Electric Vehicle Charging Points for all new developments in Port Stephens and provide a future report back to Council on the options and alternatives available.

Action 14.2 in the Greater Newcastle Metropolitan Plan requires all Lower Hunter councils to:

- Plan for a changing climate by developing policies to achieve the NSW Government aspirational target of net zero emissions by 2050.

The Local Strategic Planning Statement currently being prepared will include a range of actions to satisfy this, including policies related to electric charging stations and providing priority parking spots for electric vehicles in town centres.

**MINUTES ORDINARY COUNCIL - 24 SEPTEMBER 2019**

**ITEM 4 - ATTACHMENT 1      MINUTES NO. 154 - 9 JULY 2019.**

**MINUTES ORDINARY COUNCIL - 9 JULY 2019**

Generally speaking, controls to require new developments to install electric charging stations would be implemented via an amendment to the Port Stephens Development Control Plan 2014. However, Council would need to determine the types of new development that these controls would apply to.

**ATTACHMENTS**

Nil.

**MINUTES ORDINARY COUNCIL - 24 SEPTEMBER 2019****ITEM 4 - ATTACHMENT 2      REPORT ON ELECTRIC VEHICLE CHARGING POINTS.**

Author: Elizabeth Lamb, Strategic Planning Co-ordinator  
Date: 24 September 2019  
File No: PSC2019-03  
Subject: Review of Proposed Requirements for Electric Vehicle Charging Points

**Background:**

On 9 July 2019 Council resolved to request the General Manager to prepare a report on the inclusion of Electric Vehicle (EV) Charging Points for all new developments in Port Stephens (Minute No.154).

Generally, controls to require new developments to install electric charging stations would be implemented via an amendment to the Port Stephens Development Control Plan 2014 (DCP 2014).

This Report considers the options and alternatives available, including the types of development that these controls could apply to.

**Issues:**State and national policy and regulatory framework

National building regulations have not yet been updated to provide standards for EV Charging Points. The Australian standard applicable to electrical installations (AS/NZ3000) was recently updated to include standard requirements for EV charging stations. The Building Code of Australia has not been updated to adopt the new standard because changes to the Code only occur every 3 years.

The [NSW Electric and Hybrid Vehicle Plan](#) (EHVP), sets out actions the State Government will take to support local councils in planning for the transformation of transport through technology. Under the EHVP, the State Government has committed to:

- Co-invest in EV Charging Points on major regional corridors in partnership with councils.
- Co-invest in charging points in commuter car parks.
- Adopt preferred charging standards to guide council requirements.
- Develop guidelines for the installation of charging points in roadside service centres.
- Publish guides to support EV charging through strategic land use planning by councils to prepare for EV charging.
- Further streamline approval processes for installing EV charging.
- Develop and standardise roadside wayfinding signage – to help guide motorists to charging locations.
- Model the future uptake of EVs in NSW and the likely impacts on the energy system.

1

**MINUTES ORDINARY COUNCIL - 24 SEPTEMBER 2019****ITEM 4 - ATTACHMENT 2      REPORT ON ELECTRIC VEHICLE CHARGING POINTS.**

- Insert requirements for EV Charging Points for new residential flat buildings (Through State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the NSW Apartment Design Guide).

Action 14.2 in the Greater Newcastle Metropolitan Plan (GNMP) requires all Lower Hunter councils to:

- Plan for a changing climate by developing policies to achieve the NSW Government aspirational target of net zero emissions by 2050.

Local policy and regulatory framework

The Local Strategic Planning Statement currently being prepared will include a range of actions to satisfy the directions for local councils in the GNMP, including policies related to electric charging stations and providing priority parking spots for electric vehicles and car sharing in town centres.

The Smart City Blueprint currently being prepared will also include actions to satisfy the GNMP related to clean transport technology and smart infrastructure.

The report of the Nelson Bay Independent Citizens Parking Panel included recommended actions relating to smart parking options and promoting alternative modes of transport in and around town centres.

Note: an amendment to the DCP 2014 is not required to install EV Charging Points in public car parks owned by Council.

**Implications:**

Until the State Government and the National Building Code of Australia recognise adopted standards for EV charging stations, it may be difficult to prepare and enforce development controls that require EV charging stations.

There are however examples of requirements for precinct plans in growth areas that facilitate EV charging stations in new local centres and in the design of future public spaces. The draft Wilton Growth Area Development Control Plan 2019 includes objectives for neighbourhoods to be designed to be adaptive to change in the form of electric, shared and autonomous vehicles, and to facilitate the take up of safe alternate mobility options that reduce pollution, congestion and transport costs.

Through the EHVP, the State Government has committed to providing requirements for EV charging stations will shortly apply to all new residential flat buildings through State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the NSW Apartment Design Guide.

Other types of residential accommodation (dwelling houses, attached dwellings, multi-dwelling houses) can facilitate EV charging through domestic plugs.

The remaining categories of development subject to DCP controls that have requirements to provide parking facilities include commercial premises (including business, office and retail uses) and other uses permissible in business zones such as medical centres, tourist and visitor accommodation, indoor recreation facilities, registered clubs, etc.

2



**MINUTES ORDINARY COUNCIL - 24 SEPTEMBER 2019****ITEM 4 - ATTACHMENT 2      REPORT ON ELECTRIC VEHICLE CHARGING POINTS.**

A recent research paper on the emerging NSW planning framework for EVs and EV Charging Points recommends local councils promote EV equipped car share spaces as concessions for reduced parking requirements (Drake et al., 2019).

This approach would be consistent with directions in the GNMP and the recommendations of the Nelson Bay Independent Citizens Parking Panel. It would also avoid potential conflicts with the anticipated introduction of State and national adopted standards and proposed State-led changes to the planning system.

Currently there is only 1 car sharing service active in Port Stephens (Drivemycar, a peer-to-peer sharing service), however visitors and tourists may be using car sharing services based in metropolitan areas (e.g. Goget or Carnextdoor). A facilitative provision in the DCP may encourage developers to approach car sharing providers to enter into partnerships and increase their presence in Port Stephens.

A facilitative provision that provided parking concessions for commercial and other uses in town centres would also have the potential to reduce congestion in the long term as electric vehicles and car sharing trends increase.

**References**

Drake, P., Hornsey, R., Mannix, L. and Piatkov, V. (2019). *Electric Avenue: Preparing the NSW planning system for electric vehicles*. [online] City Futures Research Centre, UNSW Built Environment, UNSW Sydney. Available at: [https://cityfutures.be.unsw.edu.au/documents/538/Electric\\_Avenue\\_Final\\_March\\_2019.pdf](https://cityfutures.be.unsw.edu.au/documents/538/Electric_Avenue_Final_March_2019.pdf) [Accessed 19 Aug. 2019].

ClimateWorks Australia (2018). *State of Electric Vehicles in Australia. Second Report: Driving Momentum in Electric Mobility*. [online] Melbourne: ClimateWorks Australia. Available at: [https://www.climateworksaustralia.org/sites/default/files/documents/publications/climate\\_works\\_australia\\_state\\_of\\_electric\\_vehicles2\\_june\\_2018.pdf](https://www.climateworksaustralia.org/sites/default/files/documents/publications/climate_works_australia_state_of_electric_vehicles2_june_2018.pdf) [Accessed 19 Aug. 2019].

**Recommendations:**

- 1) Note the proposed changes to the national building regulations and NSW planning system to support requirements for EV Charging Points.
- 2) Amend the Port Stephens Development Control Plan 2014 to enable new commercial and other business uses required to provide parking in town centres to seek a reduction in parking requirements if they provide EV equipped car share spaces.

**Elizabeth Lamb**  
**Strategic Planning Co-ordinator**

**MINUTES ORDINARY COUNCIL - 24 SEPTEMBER 2019**

**ITEM 4 - ATTACHMENT 2      REPORT ON ELECTRIC VEHICLE CHARGING POINTS.**

**Communication method**

- ☐ Post on myPort
  - ☐ Post on PSC website
  - ☐ Memo to section managers
  - ☐ Presentation to SLT
  - ☐ Snapshot article
  - ☐ All staff memo from General Manager
  - ☐ 2 way conversation with Councillors
  - ☐ Councillors weekly PS newsletter
  - ☒ Report to Council
  - ☐ Media release
  - ☐ Other
-

ITEM NO. 3

FILE NO: 20/313855  
EDRMS NO: PSC2006-019V2

## LEGACY PLANNING PROPOSALS

REPORT OF: JANELLE GARDNER - ACTING STRATEGY & ENVIRONMENT  
SECTION MANAGER  
GROUP: DEVELOPMENT SERVICES

---

### RECOMMENDATION IS THAT COUNCIL:

- 1) Note the correspondence from the Deputy Secretary of the NSW Department of Planning, Industry and Environment requiring councils to finalise long standing planning proposals by 31 December 2020 (**ATTACHMENT 1**).
- 2) Discontinue the planning proposal to enable water storage facilities (farm dams) as exempt development in rural zones (**ATTACHMENT 2**).
- 3) Request the Minister for Planning and Public Spaces determine that these matters not proceed under section 3.35 of the Environmental Planning and Assessment Act 1979 (NSW).

---

### BACKGROUND

The purpose of this report is to finalise long standing (legacy) planning proposals in accordance with the correspondence from the Deputy Secretary of the NSW Department of Planning, Industry and Environment (DPIE), dated 1 October 2020 (**ATTACHMENT 1**). Note that planning proposals where the amendments to the Port Stephens Local Environmental Plan 2103 are gazetted and commenced are considered finalised.

As part of the NSW Government Planning System Acceleration program, all legacy planning proposals lodged more than 4 years ago (**ATTACHMENT 1**) are required by DPIE to be finalised by 31 December 2020.

In addition, as part of the NSW Public Spaces Legacy Program, Council is required to meet certain targets including the finalisation of these planning proposals, to be eligible for up to \$3 million of grant funding for public space improvement projects.

The following planning proposal is proposed to be discontinued:

	<b>Planning Proposal</b>	<b>Description</b>	<b>Lodgement</b>	<b>Recommendation</b>
1	PP_2015_PORTS_003_02	Enables water storage facilities (farm dams) as exempt development in rural zones <b>(ATTACHMENT 2)</b> and identified in <b>(ATTACHMENT 1)</b> by DPIE for finalisation by 31 December 2020.	Prepared in response to a Notice of Motion (10 February 2015, Minute Number 021) <b>(ATTACHMENT 3)</b> . Following the Gateway determination, the former NSW Office of Environment and Heritage objected to the proposal and have maintained their objection.	DPIE have recently consulted with Council about including certain farm dams in State policies, therefore the matter may be discontinued.

## COMMUNITY STRATEGIC PLAN

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

## FINANCIAL/RESOURCE IMPLICATIONS

The NSW Public Spaces Legacy Program provides up to \$3 million in grant funding for public space improvement projects subject to Council meeting specific targets including the finalisation of 4 year plus planning proposals by 31 December 2020.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

There are no significant legal, policy or risk implications.

<b>Risk</b>	<b><a href="#">Risk Ranking</a></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that if these matters are not determined it may effect DPIE funding for the NSW Public Spaces Legacy Program.	Medium	Adopt the recommendations.	Yes.

**Environmental Planning and Assessment Act 1979**

Under section 3.35 of the Environmental Planning and Assessment Act 1979 (NSW), a council may, at any time, request the Minister for Planning and Public Spaces determine that a planning proposal not proceed.

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

There are no significant social, economic or environmental implications as a result of the recommendations.

**CONSULTATION**

Council staff have consulted the NSW Department of Planning, Industry and Environment who have indicated support for the recommendations.

**OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

**ATTACHMENTS**

- 1) Correspondence from Deputy Secretary of NSW Department of Planning, Industry and Environment. [↓](#)
- 2) Planning proposal to make water storage facilities exempt development. (Provided under separate cover)
- 3) Notice of Motion - 10 February 2015. [↓](#)



**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.

**ITEM 3 - ATTACHMENT 1      CORRESPONDENCE FROM DEPUTY SECRETARY  
OF NSW DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT.**



**Planning,  
Industry &  
Environment**

IRF20/4503

1 October 2020

Mr Wayne Wallis, General Manager

Email: [council@portstephens.nsw.gov.au](mailto:council@portstephens.nsw.gov.au)

Dear Mr Wallis

On 15 July 2020 the Premier announced the Planning System Acceleration Program to reform the NSW planning system. The reforms, which streamline and simplify the planning system, will unlock productivity, keep people in jobs and support sustained economic recovery from the Covid-19 pandemic.

A key part of the reform program involves delivering improved processes for determining and finalising planning proposals more efficiently to cut the time taken to finalise rezoning decisions by 33%. This will provide greater clarity to local government and the community, and more certainty to proponents and investors.

Going forward our intention is that planning proposals should generally take 1 year and no more than 2 years to complete. This has been shown to be achievable in many cases where applications are supported by enough evidence to justify strategic and site-specific merit, and when proposals are aligned to a strong strategic planning framework.

Further information about changes and improvements to existing processes such as online lodgement via the NSW Planning Portal will be provided to councils as part of ongoing communication about the planning reform program.

To ensure the new system achieves these outcomes we must first clear the backlog of planning proposals that have remained under consideration for an extended period.

A review of current proposals identified a number that have been delayed or, are yet to be finalised after more than four years. To address these, the Department is commencing a focused program to work with councils to finalise these proposals by 31 December 2020. Following the initial focus on proposals lodged more than four years ago the program will start to address those that are between two – four years old.

I am aware that many councils are working to improve planning assessment timeframes. This includes eligible councils with long standing proposals applying to the Public Spaces Legacy Program. The Department will work with all councils to help finalise the long standing proposals.

**ITEM 3 - ATTACHMENT 1      CORRESPONDENCE FROM DEPUTY SECRETARY  
OF NSW DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT.**



**Planning,  
Industry &  
Environment**

Port Stephens Council has the following planning proposals that we will initially be working with you to finalise by 31 December 2020:

- PP\_2012\_PORTS\_001\_00
- PP\_2012\_PORTS\_005\_00
- PP\_2012\_PORTS\_009\_00
- PP\_2013\_PORTS\_004\_01
- PP\_2015\_PORTS\_003\_02
- PP\_2016\_PORTS\_002\_00

Daniel Simpkins, Director Hunter & Central Coast Region, will contact you in the coming days to establish a project plan and timeframe for finalising the above proposals.

Should Council have any immediate questions regarding the finalisation program please discuss these with Dan Simpkins during this initial discussion.

Alternatively, you can contact Dan Simpkins on 02 9373 2820 or [daniel.simpkins@planning.nsw.gov.au](mailto:daniel.simpkins@planning.nsw.gov.au)

We look forward to working with Council to deliver this program as a major step towards improving and streamlining the plan making process.

Yours sincerely

**Marcus Ray  
Group Deputy Secretary  
Planning and Assessment**

ORDINARY COUNCIL - 10 FEBRUARY 2015

## NOTICE OF MOTION

ITEM NO. 1

FILE NO: A2004-0217 &  
PSC2009-06567

### PLANNING PROPOSAL TO AMEND THE LEP - EXEMPT DEVELOPMENT - WATER STORAGE FACILITIES

MAYOR BRUCE MACKENZIE

#### THAT COUNCIL:

- 1) Resolve to immediately prepare a Planning Proposal to amend the LEP to include the following:

Add to Schedule 2 Exempt Development:

#### Water Storage Facilities

- a) Must only be constructed on land zoned RU1 Primary Production or RU2 Rural Landscape;
- b) Must be less than 1 Megalitre if the subdivision was approved before 1 January 1999 with harvestable water rights or be built on minor streams that capture a maximum of 10 per cent of the property's average regional rainfall run-off;
- c) Must not be on land mapped as Class 1, 2, 3 or 4 on the Acid Sulfate Soils Map;
- d) Maximum depth of 5 metres Australian Height Datum when within 500m of adjacent Class 1, 2, 3 or 4 Acid Sulfate Soil Land and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land;
- e) Minimum distance from any property boundary - 10m;
- f) Must not contain a spillway more than 1m in height;
- g) Must not involve works within 40m of the banks of a named watercourse.

Note: Farm dams must comply with the NSW Farm Dams Policy (Harvestable Dams Policy), a copy of which can be obtained from the NSW Office of Water or relevant State Government Authority

**ORDINARY COUNCIL – 10 FEBRUARY 2015****BACKGROUND REPORT OF: TIM CROSDALE – STRATEGY & ENVIRONMENT  
SECTION MANAGER, DEVELOPMENT SERVICES****BACKGROUND**

Under the provisions of the Port Stephens Local Environmental Plan 2013 (PSLEP 2013) a Farm Dam is not currently considered as exempt development and in turn requires a development application to be lodged with Council. This Notice of Motion seeks to remove the need for an application to be lodged with Council for small dams by specifying this class of development as exempt subject to meeting the criteria.

Upper Hunter Shire and the Mid-Western Regional Council have achieved this through similar amendments to their respective LEPs.

In consideration of this Notice of Motion it is important to note that the construction of farm dams may trigger other requirements for development approval or licences separate to its development classification. In this regard there are a number of provisions related to water licensing requirements as outlined in the NSW Farm Dams Policy.

As such a proposed amendment to the PSLEP 2013 would need to be drafted to reflect the need to adhere to the NSW Farm Dams Policy. This is consistent with the approach taken by both Upper Shire and Mid-Western Regional Councils in their amendments to their LEP provisions.

Moreover, the PSLEP 2013 requires development consent for certain ground disturbance activities within areas of the LGA mapped as Acid Sulphate Soils (ASS). This can be addressed in the planning proposal through specifying exclusion from Class 1 to 4 ASS and reflecting the specific depth restrictions for land mapped as Class 5 ASS.

The Notice of Motion would result in those rural landowners in the north and western portions of the Local Government Area not being required to submit a development application for the construction of farm dams subject to meeting the criteria. The area of application of this Notice of Motion is shown on **(ATTACHMENT 1)**.

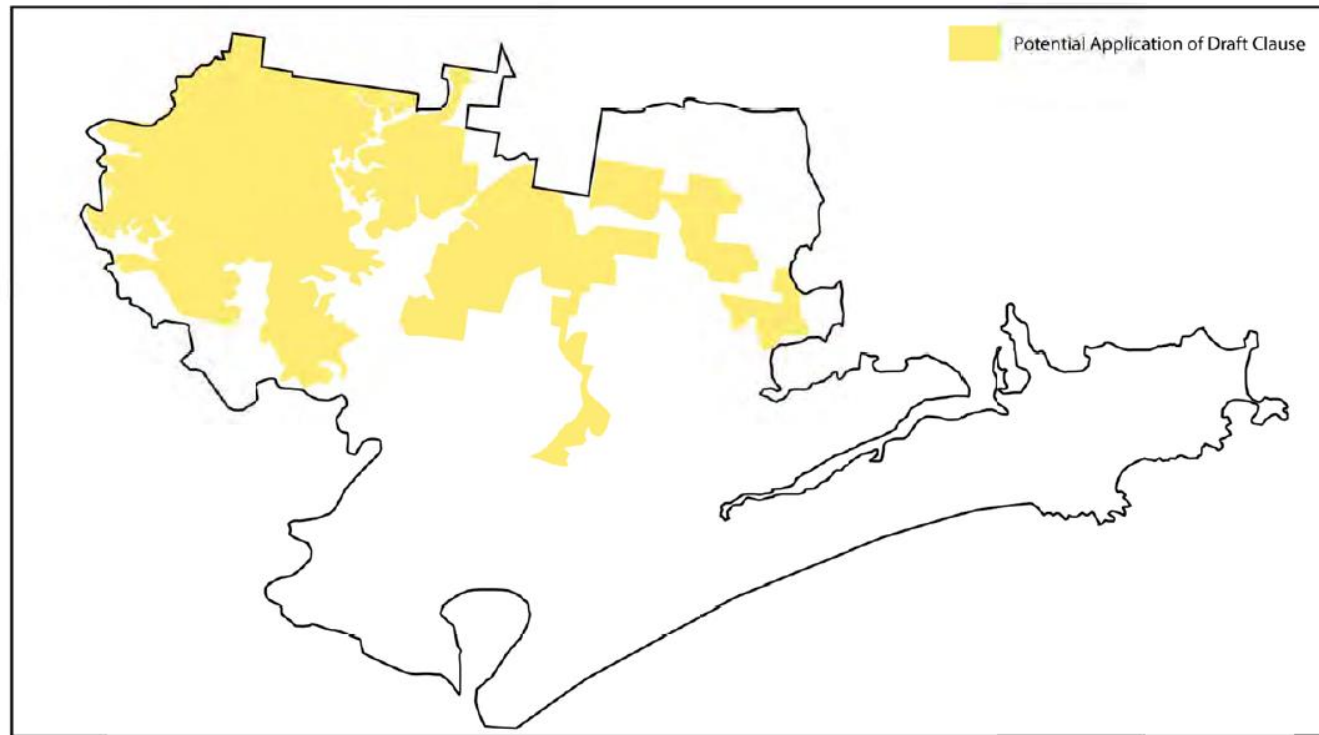
The standard process for proposed amendments to the PSLEP 2013 is approval from the Department of Planning and Environment subject to the review of the Planning Proposal. At this stage it is unclear on the Department's position on the proposed amendment which will be established through consultation with the Department through the preparation of the Planning Proposal.

**ATTACHMENT**

- 1) Locations where the proposed Clause applies.



ATTACHMENT 1  
Locations where the proposed Clause applies



**ITEM NO. 4**

**FILE NO: 20/310445  
EDRMS NO: PSC2014-03407**

**POLICY REVIEW: PORT STEPHENS ANNUAL AWARDS**

REPORT OF: STEVEN BERNASCONI - COMMUNICATIONS SECTION  
MANAGER  
GROUP: DEVELOPMENT SERVICES

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Endorse the revised Port Stephens Annual Awards Policy shown at **(ATTACHMENT 1)**.
- 2) Place the revised Port Stephens Annual Awards Policy on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted as amended, without a further report to Council.
- 3) Revoke the Port Stephens Annual Awards Policy dated 11 September 2018, Minute Number 285, should no submissions be received.

---

**BACKGROUND**

The purpose of this report is to seek Council endorsement of the revised Port Stephens Annual Awards Policy (the policy) **(ATTACHMENT 1)** as part of the regular policy review process prior to exhibition.

The purpose of this policy is to recognise groups and individuals that contribute to the achievement of Council's vision and articulate the criteria that guides the annual awards program.

This policy review identified 1 minor administrative amendment to clarify the criteria.

Annual Awards Program 2021

Nominations for the Annual Awards Program for 2021 are currently open and close on 30 November 2020. The guidelines require assessment of the nominations to be undertaken by an assessment panel made up of the following members:

- the Mayor (Chair)
- the General Manager
- 3 Councillors - 1 from each ward - drawn from the Port Stephens Australia Day Celebrations Coordinating Committee
- 3 community representatives drawn from the Port Stephens Australia Day Celebrations Coordinating Committee
- 1 Freeman by invitation of the Mayor each year

## COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Community Diversity	Encourage Port Stephens to be inclusive and access friendly.

## FINANCIAL/RESOURCE IMPLICATIONS

The recommendation will not result in any financial or resource implications.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

## LEGAL, POLICY AND RISK IMPLICATIONS

There are no known legal or policy implications as a result of the proposed recommendation.

Risk	<a href="#">Risk Ranking</a>	Proposed Treatments	Within Existing Resources?
There is a risk that Council's reputation may be damaged as a result of decisions made in relation to annual awards.	Low	Adopt the recommendations.	Yes

## SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Recognition of groups and individuals that contribute to the achievement of Council's vision of: Port Stephens - a great lifestyle in a treasured environment.

## **CONSULTATION**

Consultation with key stakeholders has been undertaken by the Community Development and Engagement unit in conjunction with the wider Communications section.

### Internal

The Executive Team has been consulted to seek management endorsement.

### External

In accordance with local government legislation the revised Port Stephens Annual Awards Policy will be placed on public exhibition for 28 days.

## **OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

## **ATTACHMENTS**

- 1) Revised Port Stephens Annual Awards Policy. [↓](#)

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

Nil.

## ITEM 4 - ATTACHMENT 1 REVISED PORT STEPHENS ANNUAL AWARDS POLICY.

## Policy



**FILE NO:** PSC2014-03407

**TITLE:** PORT STEPHENS ANNUAL AWARDS

**OWNER:** COMMUNICATIONS SECTION MANAGER

**1. PURPOSE:**

- 1.1 The purpose of this policy is to recognise groups and individuals that contribute to the achievement of Council's vision of: Port Stephens - a great lifestyle in a treasured environment.
- 1.2 The awards recognise outstanding service, effort and achievements to groups, individuals and events that contribute to making our community a great place to live, work, play and grow.

**2. CONTEXT/BACKGROUND:**

- 2.1 Port Stephens Council recognises outstanding contributions of members of the Port Stephens community through the delivery of an annual awards program. The peak award is the Freeman of Port Stephens, followed by the Citizen of the Year, the Young Citizen of the Year, and other awards that acknowledge social, cultural and environmental achievements. These annual awards will provide further opportunity for Council to formally recognise these people who provide outstanding or distinguished service to the community and enhance community pride and spirit.

**3. SCOPE:**

- 3.1 Council plays a role in supporting individuals and groups that benefit the Port Stephens community.
- 3.2 Eligibility for Port Stephens community awards is based on objective community values criteria to ensure awards recipients are determined following a merit-based approach.

**4. DEFINITIONS:**

- 4.1 An outline of the key definitions of terms included in the policy.

**Annual awards program**

Annual awards presented on Australia Day each year to formally recognise the efforts of groups and individuals from around our region.

## Policy

WARNING: This is a controlled document. Hardcopies of this document may not be the latest version. Before using this document, check it is the latest version; refer to Council's website [www.portstephens.nsw.gov.au](http://www.portstephens.nsw.gov.au)





## Policy



### **5. STATEMENT:**

5.1 Port Stephens Council relies on community members to achieve its vision for Port Stephens. Council has a system of annual awards to recognise individuals and groups who, through outstanding effort, service and achievement, have contributed to the promotion of the community values of Port Stephens.

5.2 The Port Stephens Annual Awards Assessment Panel is comprised of:

- a) the Mayor (Chair)
- b) the General Manager
- c) 3 Councillors (one from each Ward), drawn from the 355(c) Port Stephens Australia Day Committee
- d) 3 community representatives, drawn from the 355(c) Port Stephens Australia Day Committee
- e) 1 Freeman of Port Stephens (by invitation of the Mayor).

5.3 The role of the panel is to receive and consider nominations in accordance with the criteria and recommend recipients for each category of award. Outstanding achievement or contribution towards Port Stephens' community values will be the principle basis for the awards. The community values are:

- a) honesty
- b) safety
- c) fairness
- d) community spirit
- e) friendliness
- f) having a say
- g) support and connectedness
- h) tolerance of difference
- i) sustainability
- j) life choices.

5.4 The Mayor has delegated authority under this policy to determine the awards on the recommendation of the Port Stephens Annual Awards Assessment Panel.

### **6. RESPONSIBILITIES:**

6.1 The Community Development and Engagement unit are responsible for the implementation, monitoring, evaluating and reviewing the policy.

### **7. RELATED DOCUMENTS:**

7.1 Port Stephens Annual Awards Guidelines.

## Policy

WARNING: This is a controlled document. Hardcopies of this document may not be the latest version.  
Before using this document, check it is the latest version; refer to Council's website [www.portstephens.nsw.gov.au](http://www.portstephens.nsw.gov.au)



## ITEM 4 - ATTACHMENT 1 REVISED PORT STEPHENS ANNUAL AWARDS POLICY.



## Policy

## CONTROLLED DOCUMENT INFORMATION:

This is a controlled document. Hardcopies of this document may not be the latest version. Before using this document, check it is the latest version; refer to Council's website: <a href="http://www.portstephens.nsw.gov.au">www.portstephens.nsw.gov.au</a> .			
<b>EDRMS container No.</b>	PSC2014-03407	<b>EDRMS record No.</b>	18/235005
<b>Audience</b>	Councillors, staff and community		
<b>Process owner</b>	Communications Section Manager		
<b>Author</b>	Community Development and Engagement Coordinator		
<b>Review timeframe</b>	2 years	<b>Next review date</b>	TBA
<b>Adoption date</b>	28 November 2000		

## VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.	28 November 2000		Port Stephens Community Awards	657
2.	27 August 2002		Port Stephens Community Awards	349
3.	8 February 2011		Port Stephens Community Awards	011
4.	24 February 2015	Communications Section Manager	Port Stephens Community Awards	027

## Policy

WARNING: This is a controlled document. Hardcopies of this document may not be the latest version. Before using this document, check it is the latest version; refer to Council's website [www.portstephens.nsw.gov.au](http://www.portstephens.nsw.gov.au)



ITEM 4 - ATTACHMENT 1  
POLICY.

## REVISED PORT STEPHENS ANNUAL AWARDS

## Policy



Version	Date	Author	Details	Minute No.
5.	11 September 2018	Communications Section Manager	<p>2.1 – Updated to reflect that each individual category was named in the context /background section of the policy. This was replaced with a general statement (see below) so changes can be made to award categories without the policy requiring review and further adoption by Council.</p> <p><i>'The peak award is the Freeman of Port Stephens, followed by the Citizen of the Year, the Young Citizen of the Year, and other awards that acknowledge social, cultural and environmental achievements'.</i></p>	285
6.	TBA	Communications Section Manager	<p>2.1 - deleted 'will', 'further' and 'those' out of the paragraph.</p> <p>3.2 - deleted 'objective' and added 'community values' to this paragraph.</p> <p>4.1 - added into definitions: 'annual awards program'.</p>	TBA

## Policy

WARNING: This is a controlled document. Hardcopies of this document may not be the latest version. Before using this document, check it is the latest version; refer to Council's website [www.portstephens.nsw.gov.au](http://www.portstephens.nsw.gov.au)



**ITEM NO. 5****FILE NO: 20/324541  
EDRMS NO: PSC2006-6753****WITHDRAWAL OF PLANNING PROPOSAL - 22 HOMESTEAD STREET,  
SALAMANDER BAY**

REPORT OF: TIMOTHY CROSDALE - GROUP MANAGER CORPORATE  
SERVICES  
GROUP: CORPORATE SERVICES

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Withdraw the planning proposal for the rezoning of Council owned land at 22 Homestead Street, Salamander Bay **(ATTACHMENT 1)**.

---

**BACKGROUND**

The purpose of this report is to finalise the planning proposal for the rezoning of 22 Homestead Street, Salamander Bay in accordance with the correspondence from the Deputy Secretary of the NSW Department of Planning, Industry and Environment (DPIE), dated 1 October 2020 **(ATTACHMENT 2)**.

DPIE requires certain planning proposals to be finalised by 31 December 2020 and if those planning proposals are finalised by that date, this will assist Council eligibility for up to \$3 million of grant funding for public space improvement projects from the DPIE Public Spaces Legacy Program.

The planning proposal (PP\_2013\_PORTS\_004\_01) was lodged in 2013 and requires further studies to be conducted, including additional targeted threatened fauna surveys, in order for the planning proposal to proceed to public exhibition and progress. Given the estimated time to complete the outstanding studies it is not feasible to make this planning proposal by 31 December 2020.

Notwithstanding the requirements of DPIE, Council have sought alternate options for this site in consultation with the Property Advisory Panel. This process is ongoing and subject to separate consideration by Council.

**COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

**FINANCIAL/RESOURCE IMPLICATIONS**

The NSW Public Spaces Legacy Program provides up to \$3 million in grant funding for public space improvement projects subject to Council meeting specific targets including the finalisation of 4 year plus planning proposals by 31 December 2020.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

There are no significant legal, policy or risk implications. As an applicant, Council has the right to withdraw a planning proposal at any time.

Risk	<a href="#">Risk Ranking</a>	Proposed Treatments	Within Existing Resources?
There is a risk that if the planning proposal is not finalised by the due date it may effect DPIE funding for the NSW Public Spaces Legacy Program.	Medium	Adopt the recommendation.	Yes

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

There are no significant social, economic or environmental implications as a result of the recommendations.

**CONSULTATION**

Consultation with key stakeholders has been undertaken by the Property Services Section.

Internal

- Group Manager Development Services.
- Strategic Planning Coordinator.
- Principal Strategic Planner.

**OPTIONS**

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

**ATTACHMENTS**

- 1) Adopted Planning Proposal for 22 Homestead Street, Salamander Bay. (Provided under separate cover)
- 2) Letter from the NSW Department of Planning Industry and Environment. [↓](#)



**ITEM 5 - ATTACHMENT 2 LETTER FROM THE NSW DEPARTMENT OF PLANNING INDUSTRY AND ENVIRONMENT.**



**Planning,  
Industry &  
Environment**

IRF20/4503

1 October 2020

Mr Wayne Wallis, General Manager

Email: [council@portstephens.nsw.gov.au](mailto:council@portstephens.nsw.gov.au)

Dear Mr Wallis

On 15 July 2020 the Premier announced the Planning System Acceleration Program to reform the NSW planning system. The reforms, which streamline and simplify the planning system, will unlock productivity, keep people in jobs and support sustained economic recovery from the Covid-19 pandemic.

A key part of the reform program involves delivering improved processes for determining and finalising planning proposals more efficiently to cut the time taken to finalise rezoning decisions by 33%. This will provide greater clarity to local government and the community, and more certainty to proponents and investors.

Going forward our intention is that planning proposals should generally take 1 year and no more than 2 years to complete. This has been shown to be achievable in many cases where applications are supported by enough evidence to justify strategic and site-specific merit, and when proposals are aligned to a strong strategic planning framework.

Further information about changes and improvements to existing processes such as online lodgement via the NSW Planning Portal will be provided to councils as part of ongoing communication about the planning reform program.

To ensure the new system achieves these outcomes we must first clear the backlog of planning proposals that have remained under consideration for an extended period.

A review of current proposals identified a number that have been delayed or, are yet to be finalised after more than four years. To address these, the Department is commencing a focused program to work with councils to finalise these proposals by 31 December 2020. Following the initial focus on proposals lodged more than four years ago the program will start to address those that are between two – four years old.

I am aware that many councils are working to improve planning assessment timeframes. This includes eligible councils with long standing proposals applying to the Public Spaces Legacy Program. The Department will work with all councils to help finalise the long standing proposals.

**ITEM 5 - ATTACHMENT 2 LETTER FROM THE NSW DEPARTMENT OF  
PLANNING INDUSTRY AND ENVIRONMENT.**



**Planning,  
Industry &  
Environment**

Port Stephens Council has the following planning proposals that we will initially be working with you to finalise by 31 December 2020:

- PP\_2012\_PORTS\_001\_00
- PP\_2012\_PORTS\_005\_00
- PP\_2012\_PORTS\_009\_00
- PP\_2013\_PORTS\_004\_01
- PP\_2015\_PORTS\_003\_02
- PP\_2016\_PORTS\_002\_00

Daniel Simpkins, Director Hunter & Central Coast Region, will contact you in the coming days to establish a project plan and timeframe for finalising the above proposals.

Should Council have any immediate questions regarding the finalisation program please discuss these with Dan Simpkins during this initial discussion.

Alternatively, you can contact Dan Simpkins on 02 9373 2820 or [daniel.simpkins@planning.nsw.gov.au](mailto:daniel.simpkins@planning.nsw.gov.au)

We look forward to working with Council to deliver this program as a major step towards improving and streamlining the plan making process.

Yours sincerely

**Marcus Ray  
Group Deputy Secretary  
Planning and Assessment**

**ITEM NO. 6****FILE NO: 20/188176  
EDRMS NO: PSC2018-03650****ANNUAL REPORT 2019 TO 2020**

REPORT OF: TIMOTHY CROSDALE - GROUP MANAGER CORPORATE  
SERVICES  
GROUP: CORPORATE SERVICES

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Adopt the Annual Report Financial Year 2019 to 2020 **(ATTACHMENTS 1 AND 2)**.

---

**BACKGROUND**

The purpose of this report is to present to Council and the community the Annual Report 2019 to 2020. The Annual Report is in 2 volumes:

- Volume 1 is the report of activities and operations of Council for the financial year to 30 June 2020, reporting on statutory requirements and Council's achievements in implementing its Delivery Program **(ATTACHMENT 1)**.
- Volume 2 is the audited financial statements of Council to 30 June 2020 **(ATTACHMENT 2)**.

**COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Governance	Provide a strong ethical governance structure.

**FINANCIAL/RESOURCE IMPLICATIONS**

Volume 1 of the Annual Report contains a summary of Council's financial performance, capital expenditure and governance across the whole of Council's operations.

Volume 2 of the Annual Report contains more detail of Council's financial position and audited accounts.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

### **LEGAL, POLICY AND RISK IMPLICATIONS**

The Annual Report has been prepared in accordance with section 428(1), section 428(3) and section 428(4) of the Local Government Act 1993.

The Annual Financial Statements were adopted by Council at its meeting of 10 November 2020, Minute 233 **(ATTACHMENT 3)**.

As Council elections were deferred for 1 year to September 2021, the annual report does not include Council's achievements in implementing the community strategic plan as outlined in section 428(2). A full report on the community strategic plan will be prepared for the outgoing Council in the year the election is held.

Section 428(5) of the Local Government Act 1993 states:

"A copy of the Council's annual report must be posted on the council's website and provided to the Minister and such other persons and bodies as the regulations may require. A copy of a Council's annual report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on the Council's website."

Subject to adoption of the Annual Report by Council, Officers will place the Annual Report 2019 to 2020 on Council's website, in Council libraries and advise the Office of Local Government.

Section 428A(1) states:

"The annual report of a council in the year in which an ordinary election of councillors is to be held must include a report (a state of the environment report) as to the state of the environment in the local government area."

A State of the Environment report is not required for 2019 to 2020.

Office of Local Government Circular No 19-28 / 05 November 2019 / A663364 additionally outlines that Councils:

- should ensure they report performance against targets, outcomes, efficiency and cost effectiveness over time

- include reporting on Councillor professional development training.

Volume 1 of the Annual Report provides Council's performance against its 7 main result measures over time and reports on the outcomes of the Delivery Program for 2019 to 2020 including the effectiveness of its Operational Plan actions, efficiencies in business operations and financial sustainability since 2012.

The statutory statements contained within the Annual Report also report on councillor professional development training.

<b>Risk</b>	<b><a href="#">Risk Ranking</a></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that failure to provide the Annual Report within the legislated timeframe could lead to reputational loss and a breach of the Local Government Act 1993.	Low	Adopt the recommendation.	Yes

## **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The Annual Report 2019 to 2020 provides information on Council's performance and achievements across a range of social, economic and environmental factors, outlining the principal activities of Council which are based on the 4 pillars of sustainability. Council is committed to transparent reporting and accountability to our community.

Despite the challenging year that it has been, Port Stephens Council always has the community's best interests at heart providing the services our community needs in the best possible way. This report provides not only our achievements and challenges for 2019 to 2020 but alternate ways that we've been providing services and supporting the community.

Council achieved the high organisational targets it set for the key result measures of community satisfaction, service delivery, governance, risk management, employee engagement and infrastructure backlog only missing out by a small margin on its target for an underlying financial surplus. Despite this, with an ongoing focus on effective fiscal management, Council is financially sustainable as demonstrated through the audited annual financial reports.

The key result measures (metrics) for 2019 to 2020 were:

Service Delivery:

- Target: > 95% Integrated Plans delivered on time.
- Achievement: 100% of Operational Plan actions on track after revising workplans due to COVID-19.

Community Satisfaction

- Target: > 80% Community Satisfaction.
- Achievement: 80% overall Community Satisfaction score (Source: 2020 Community Satisfaction Survey).

Employee Engagement

- Target: > 70% Employee Engagement.
- Achievement: 74% (Source: AON Hewitt 2019).

Governance

- Target: > 95% Governance Health Check.
- Achievement: 98.2% (as at June 2020).

Risk Management

- Target: > 80% Risk Management Maturity score.
- Achievement: 86% (as at August 2019).

Financial Sustainability

- Target: Underlying Financial Surplus.
- Achievement: Underlying Financial Deficit of \$185,000.

Whilst not strictly meeting the organisational target of an underlying surplus, through careful management of our cash flow and reprioritising spending, we were still able to meet our financial obligations while keeping people employed in meaningful work. This meant revising our work programs and delaying some major projects to the next financial year.

Infrastructure Backlog

- Target: Reduction in Backlog
- Achievement: \$13.83m (as at 30 June 2020, compared to \$14.16m 30 June 2019).



## **CONSULTATION**

Compilation of the Annual Report 2019 to 2020 has occurred in consultation with the following internal key stakeholders:

- Executive Team.
- Section Managers.
- Council Officers.

Information was gathered from across Council to compile the Annual Report 2019 to 2020.

If adopted by Council, the Annual Report 2019 to 2020 will be placed on Council's website, with the appropriate web link advised to the Office of Local Government and hard copies distributed to Council's libraries and the State Library of New South Wales.

## **OPTIONS**

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

## **ATTACHMENTS**

- 1) Annual Report 2019-2020 - Volume 1. (Provided under separate cover)
- 2) Annual Report 2019-2020 - Volume 2. (Provided under separate cover)
- 3) 2019-2020 Annual Financial Statements - Min No. 233 - 10 November 2020. [↓](#)

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

Nil.

**ITEM 6 - ATTACHMENT 3      2019-2020 ANNUAL FINANCIAL STATEMENTS -  
MIN NO. 233 - 10 NOVEMBER 2020.****MINUTES ORDINARY COUNCIL - 10 NOVEMBER 2020****ITEM NO. 3****FILE NO: 20/177267  
EDRMS NO: PSC2015-01492****2019 - 2020 ANNUAL FINANCIAL STATEMENTS****REPORT OF: TIM HAZELL - FINANCIAL SERVICES SECTION MANAGER  
GROUP: CORPORATE SERVICES****RECOMMENDATION IS THAT COUNCIL:**

- 1) Adopt the 2019-2020 Annual Financial Statements (**ATTACHMENT 1**) and accept the Auditor's reports, as submitted by the Audit Office of New South Wales.
- 2) Place the 2019-2020 Annual Financial Statements on public exhibition, with submissions accepted until 5.00pm on 17 November 2020 in line with legislation.

**ORDINARY COUNCIL MEETING - 10 NOVEMBER 2020  
MOTION**

<b>233</b>	<b>Councillor Paul Le Mottee Councillor Glen Dunkley</b>  It was resolved that Council:  <ol style="list-style-type: none"><li>1) Adopt the 2019-2020 Annual Financial Statements (<b>ATTACHMENT 1</b>) and accept the Auditor's reports, as submitted by the Audit Office of New South Wales.</li><li>2) Place the 2019-2020 Annual Financial Statements on public exhibition, with submissions accepted until 5.00pm on 17 November 2020 in line with legislation.</li></ol>
------------	--

The motion was carried.

**BACKGROUND**

The purpose of this report is to advise Council that the 2019-2020 Annual Financial Statements have been prepared in accordance with Australian Accounting Standards, the Local Government Act 1993 and associated regulations and the Local Government Code of Accounting Practice.

The Annual Financial reports have been reviewed by Council's Auditors (The Audit Office of New South Wales) and the Audit Committee. This report is to formally

**ITEM 6 - ATTACHMENT 3 2019-2020 ANNUAL FINANCIAL STATEMENTS - MIN NO. 233 - 10 NOVEMBER 2020.****MINUTES ORDINARY COUNCIL - 10 NOVEMBER 2020**

present Council's Annual Financial Statements for the year ended 30 June 2020, together with the Auditor's Report, to the public in accordance with sections 418 and 419 of the Local Government Act 1993.

Included with the Annual Financial Statements is a holiday parks and investment property report, which shows the financial result for all holiday parks operated by Council, together with the financial result for Council's investment property portfolio and the Newcastle Airport.

A summary of the key points of the 2019-2020 Annual Financial Statements is shown at **(ATTACHMENT 2)** to assist with legibility.

**COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Financial Management	Maintain strong financial sustainability.

**FINANCIAL/RESOURCE IMPLICATIONS**

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

There are no known legal or policy implications. The risk implications are listed in the table below.

<b>Risk</b>	<b><a href="#">Risk Ranking</a></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that the Annual Financial Statements will not be adopted by Council and contravene legislation.	Low	That Council adopt the Annual Financial Statements and submit for public exhibition.	Yes

---



---

**ITEM 6 - ATTACHMENT 3      2019-2020 ANNUAL FINANCIAL STATEMENTS -  
MIN NO. 233 - 10 NOVEMBER 2020.****MINUTES ORDINARY COUNCIL - 10 NOVEMBER 2020****SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

Completion of the Annual Financial reports provides Council with the information needed to facilitate prudent financial management decision making which will have a positive impact on the community.

**CONSULTATION**

Consultation with key stakeholders has been undertaken by the Financial Services Section.

The Annual Financial Statements, including the Auditor's reports, have been circulated separately to Councillors for their information and a two way conversation was held with one of the auditors in attendance to discuss the reports.

Internal

- Senior Leadership Team.
- Audit Committee.

External

- The Audit Office of New South Wales.

Public notice of the presentation of the audited Annual Financial Statements was advertised in the Port Stephens Examiner from 29 October 2020 and copies of the Annual Financial Statements have been made available on Council's website.

Submissions from the public on the audited Annual Financial Statements will be accepted for 7 days after the Council meeting from 11 November 2020 to 17 November 2020 in accordance with relevant legislation.

**OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

**ATTACHMENTS**

- 1) 2019 - 2020 Annual Financial Statements. (Provided under separate cover)
- 2) 2019 - 2020 Annual Financial Statements - Summary Paper.

**COUNCILLORS ROOM**

Nil.

---

---

PORT STEPHENS COUNCIL

**MINUTES ORDINARY COUNCIL - 10 NOVEMBER 2020**

**TABLED DOCUMENTS**

Nil.

**ITEM 6 - ATTACHMENT 3      2019-2020 ANNUAL FINANCIAL STATEMENTS -  
MIN NO. 233 - 10 NOVEMBER 2020.****MINUTES ORDINARY COUNCIL - 10 NOVEMBER 2020****ITEM 3 - ATTACHMENT 2      2019 - 2020 ANNUAL FINANCIAL STATEMENTS -  
SUMMARY PAPER.****PORT STEPHENS**  
COUNCIL**SUMMARY POINTS**  
10 November 2020

**TITLE:** Annual Financial Statements  
**PRESENTER:** Tim Hazell – Financial Services Section Manager

**BACKGROUND**

Each year, individual local governments across NSW are required to present a set of audited financial statements. The statements set out the financial performance, financial position, and cash flows of the council for the financial year ending 30 June 2020.

The annual financial statements comprise:

1. General purpose financial statements
2. Special schedules

The statements comply with both the accounting and reporting requirements of Australian Accounting Standards and requirements as set down by the Office of Local Government. They were audited by the Audit Office of NSW.

**KEY POINTS****Audit Process & Areas of Importance**

1. RSM were engaged by the Audit Office of NSW to perform the audit of PSC for the second year running
2. The audit process has followed the agreed timetable and been on budget
3. An unqualified audit opinion of the financial statements has been issued indicating the following -
  - Council's accounting records have been kept in accordance with the requirements of the *Local Government Act 1993*, Chapter 13, Part 3, Division 2 (the Division).
  - The financial statements:
    - have been presented, in all material respects, in accordance with the requirements of this Division
    - are consistent with the Council's accounting records
    - present fairly, in all material respects, the financial position of the Council as at 30 June 2020, and of its financial performance and its cash flows for the year then ended
    - in accordance with Australian Accounting Standards.
  - All information relevant to the conduct of the audit has been obtained.
  - No material deficiencies in the accounting records or financial statements have come to light during the audit.
4. Council has revalued its Road and Drainage network assets this year.



**ITEM 6 - ATTACHMENT 3 2019-2020 ANNUAL FINANCIAL STATEMENTS - MIN NO. 233 - 10 NOVEMBER 2020.****MINUTES ORDINARY COUNCIL - 10 NOVEMBER 2020****ITEM 3 - ATTACHMENT 2 2019 - 2020 ANNUAL FINANCIAL STATEMENTS - SUMMARY PAPER.**

5. There were two new accounting standards adopted this year along with increased disclosure requirements which have had a major affect on the statements. The main impact of those two standards are as follows.
  - Revenue – Grant income is now apportioned based on milestone completion rather than in full on receipt.
  - Leasing – Recognition of non current assets (e.g garbage trucks, carparks and photocopiers) and a corresponding liability for payment.

**Income Statement**

1. The underlying operating result for Council was a deficit of \$185k which is done on last years underlying surplus of \$1M. The cause of this was a \$4M downturn in gross revenue across Council operations as a result of Covid-19.
2. Total income decreased by \$597k or 0.5%.
3. Total expenditure grew by \$4.5M or 4%.

**Statement of Financial Position (Balance Sheet)**Assets

1. Total Cash & investments decreased due to the Capex Program (Use of cash reserves)
2. IPPE increased in value. The main drivers was the capex program of \$60M.
3. Right of Use Assets has been recognised for the first time to the value of \$4.7M due to the new leasing standard. The garbage trucks make up 75% of this value.
4. Investment Properties were independently valued and saw a slight increase in fair value

Liabilities

1. Current payables slightly decreased due to cost control procoediures implemented due to CV-19
2. Bank loans increased due to new loans brought in to fund the Capex program
3. Employee provions increased due to discounting factors in a low inflationary environment (LSL) and reduced leave hours taken due to CV-19.
4. Contract liabilities represent the value of unspent grant income at 30 June. The majority of these funds relate to capital grants for projects that were in progress at 30 June.

**Performance Indicators**

1. All financial indicators have exceeded the industry benchmarks except for the Operating Performance Ratio which was affected by CV-19.
2. All asset management indicators have met industry benchmarks.

**ITEM NO. 7****FILE NO: 20/316346  
EDRMS NO: A2004-0242****QUARTERLY BUDGET REVIEW - 30 SEPTEMBER 2020****REPORT OF: TIM HAZELL - FINANCIAL SERVICES SECTION MANAGER  
GROUP: CORPORATE SERVICES**

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Approve the discretionary changes to the adopted budget as detailed in **(ATTACHMENT 1)** presented as the 2020-2021 Quarterly Budget Review Statement – September 2020.

---

**BACKGROUND**

The purpose of this report is to amend the budget by bringing to Council's attention the proposals and issues that have an impact on the 2020-2021 budget, which are detailed in the Quarterly Budget Review Statement – September 2020. This statement sets out the details of variations between Council's original budget and the proposed budget.

The COVID-19 pandemic has had a significant impact on Council's financial position, with lengthy, detailed analysis across all financial operations undertaken to achieve a level of clarity. Adjustments to Council's expenditure was required to ensure Council maintains its financial sustainability. This will continue with a focus on Council financial sustainability.

The summary **(ATTACHMENT 1)** best represents the current situation as well as it is presently known.

**COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Financial Management	Maintain strong financial sustainability.

**FINANCIAL/RESOURCE IMPLICATIONS**

Council's anticipated underlying result is as follows:

	<b>Surplus (\$)</b>	<b>Deficit (\$)</b>
Budget 2020 - 2021		(4,400,000)
September review		(691,000)
December review		
March review		

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

## **LEGAL, POLICY AND RISK IMPLICATIONS**

While Council did enter a precarious financial situation as a result of COVID-19, an improvement of \$3709k has eventuated. Despite this improvement, it is crucial that Council continues to manage its expenditure carefully to ensure minimal risk to the organisation and community.

Risk	<a href="#">Risk Ranking</a>	Proposed Treatments	Within Existing Resources?
There is a risk that the underlying operating result may remain in a deficit for an unforeseeable amount of time.	High	The Long Term Financial Plan will be reviewed regularly to ensure that expenditure remains sustainable and that revenue is at appropriate levels.	Yes

## **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

Council's budget is fundamental for operational sustainability and to the provision of facilities and services to the community. The budget will continue to be carefully managed with conservative expenditure while the financial outlook continues to improve.

## **CONSULTATION**

Consultation with key stakeholders has been undertaken by the Financial Services Section to discuss the overall financial result for the quarter.

Formal communication and meetings have been held and it was recommended to submit the Quarterly Budget Review for September 2020 to Council for formal adoption.

Internal

- Executive Team.
- Audit Committee at its meeting of 15 October 2020.

External

- Nil.

**OPTIONS**

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

**ATTACHMENTS**

- 1) Quarterly Budget Review - September 2020. [↓](#)

**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.



*"A great lifestyle in a treasured environment"*

**2020 – 2021  
Quarterly Budget Review Statement  
September 2020**

**TABLE OF CONTENTS**

1. EXECUTIVE SUMMARY	1
2. INTRODUCTION	3
3. RESPONSIBLE ACCOUNTING OFFICER'S STATEMENT	4
4. INCOME & EXPENSES BUDGET REVIEW STATEMENT	5
5. CAPITAL BUDGET REVIEW STATEMENT	9
6. RESERVE BALANCES	13
7. CASH FLOW STATEMENT & ANALYSIS	14
8. BUDGET REVIEW CONTRACTS AND OTHER EXPENSES	15



## ITEM 7 - ATTACHMENT 1      QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

**1) Executive Summary**

The quarterly budget review has been compiled during period of great uncertainty, not only for Council but for the industry as a whole. While many possibly scenarios have and will continue to be modelled, the following summary best represents the current situation as well as it is known.

Financial performance is generally measured through three primary statements. Each are discussed in detail in the attached report. A summary of the predicted outcomes are provided as follows:

**Profit & Loss Statement – operating budget**

Original budget – expected result	(\$4,400k) deficit
September 2020 review	(\$691k) deficit
December 2020 review	
March 2021 review	

The improvement of \$3,709k is principally due to:

**Increased income from:**

Holiday Parks	\$3,200k
Parking meters	\$901k
	<hr/>
	\$4,101k

**Increased expenditure from:**

Restart COVID-19 program	\$221k
--------------------------	--------

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.

**ITEM 7 - ATTACHMENT 1      QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.****Capital Works Program – capital budget**

	<u>Gross</u>	<u>Contribution</u>	<u>Net</u>
Original budget – total spend	\$23,529k	\$9,523k	\$14,006k
September 2020 review	\$48,571k*	\$23,815k	\$24,756k
December 2020 review			
March 2021 review			

The increase of \$34,370k is principally due to:

**Increased program**

2019 / 2020 Budget revotes	\$20,281k
Blackspot / safer roads	\$3,600k
Safer roads	\$4,000k
Little Beach	\$2,000k
Recreation amenities	\$1,700k
Smart parking	\$850k

\*Total capital works program includes \$9,328k for airport works. The net program for Council is \$57,899 - \$9,328k = \$48,571k.

**Cash flow**

Original budget – cash projected	\$55,086k
September 2020 review	\$38,627k
December 2020 review	
March 2021 review	

The decline in the anticipated cash position to 30<sup>th</sup> June 2021 is principally due to major capital works being carried forward into this financial year.

**1) Executive Summary – continued**

Categorising the changes by Group:

**Corporate Services:** The operating budget change in this Group was \$3.2m (Favourable). The operating budget changes predominately relate to the increase in holiday parks income now that they have reopened.

**Development Services:** Operating budget changes for this Group were \$221k (Unfavourable). The operating budget changes predominately relates to the Port Stephens funding support in response to COVID-19.

There were no capital budget changes for the quarter.

**Facilities & Services:** The operating budget change in this Group was \$901k (Favourable). This is mainly due to the increase in parking fee income and operating grants.

Changes in the capital budget were \$4.5m (Unfavourable) which is mainly due to the inclusion of the 2021 Community Projects program recently exhibited.

**General Manager's Office:** The operating budget changes in this Group was \$308k (Unfavourable). The operating budget changes predominately relate to the increase in insurance premiums.

Capital budget changes were \$230k (Unfavourable) and mainly relate to the purchase of the new Enterprise risk system.

**ITEM 7 - ATTACHMENT 1      QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.**

<b>Operating Budget</b>	<b>2021 Original Budget</b>	<b>Budget revotes &amp; carry forwards</b>	<b>Budget Revision Sept Qtr</b>	<b>Budget Revision Dec Qtr</b>	<b>Budget Revision Mar Qtr</b>	<b>2021 Revised Budget</b>	<b>2021 YTD Actuals</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Corporate Services	50,094	-	3,248	-	-	53,342	42,510
Development Services	(7,888)	-	(221)	-	-	(8,109)	(2,243)
General Manager's Office	(5,747)	-	(308)	-	-	(6,055)	(3,066)
Facilities & Services	(30,491)	-	901	-	-	(29,590)	7,688
Newcastle Airport	3,842	-	-	-	-	3,842	960
<b>Operating Surplus/(Deficit) before capital grants</b>	<b>9,810</b>	<b>-</b>	<b>3,619</b>	<b>-</b>	<b>-</b>	<b>13,430</b>	<b>45,849</b>
Less: Gain on sale	(8,272)	-	-	-	-	(8,272)	-
Less: Fair value increases & royalties	(2,008)	-	-	-	-	(2,008)	(102)
Less: Newcastle Airport	(3,842)	-	-	-	-	(3,842)	(960)
Add: NAP Dividend	-	-	-	-	-	-	-
<b>Underlying Operating Surplus/(Deficit)</b>	<b>(4,311)</b>	<b>-</b>	<b>3,619</b>	<b>-</b>	<b>-</b>	<b>(691)</b>	<b>44,787</b>

<b>Capital Budget</b>	<b>2021 Original Budget</b>	<b>Budget revotes &amp; carry forwards</b>	<b>Budget Revision Sept Qtr</b>	<b>Budget Revision Dec Qtr</b>	<b>Budget Revision Mar Qtr</b>	<b>2021 Revised Budget</b>	<b>2021 YTD Actuals</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Corporate Services	(3,865)	(243)	-	-	-	(4,108)	(888)
Development Services	4,010	-	-	-	-	4,010	1,177
Facilities & Services	(4,823)	(15,124)	(4,481)	-	-	(24,428)	(1,684)
General Manager's Office	-	-	(230)	-	-	(230)	-
Newcastle Airport	(9,328)	-	-	-	-	(9,328)	-
<b>Total</b>	<b>(14,006)</b>	<b>(15,368)</b>	<b>(4,711)</b>	<b>-</b>	<b>-</b>	<b>(34,084)</b>	<b>(1,395)</b>

Note - + = inflow ( ) = outflow

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.

## **2) Introduction**

Clause 203(1) of the *Local Government (General) Regulation 2005* requires Council's responsible accounting officer to prepare and submit a Quarterly Budget Review Statement (QBRs) to Council. The QBRs must show, by reference to the estimated income & expenditure that is set out in the operational plan, a revised estimate of income and expenditure for the year.

It also requires the QBRs to include a report by the responsible accounting officer as to whether or not the statement indicates Council to be in a satisfactory financial position, with regard to Council's original budget.

Council's operational plan sets out the achievements, goals and revenue policy, including estimates of income and expenditure. The QBRs plays an important role in monitoring Council's progress against the plan and ongoing management of the annual budget.

The QBRs is the mechanism whereby Councillors and the community are informed of Council's progress against the operational plan (original budget) and the recommended changes and reasons for major variances.

The QBRs is composed of the following components:

- Responsible Accounting Officer Statement.
- Income & Expenses Budget Review Statement.
- Capital Budget Review Statement.
- Cash Flow Statement Review.
- Budget Review Contracts and Other Expenses.

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.

### 3) Responsible Accounting Officer's Statement

The Regulations require that a budget review statement must include or be accompanied by a report as to whether or not the Responsible Accounting Officer (RAO) believes that the QBRs indicates that Council's financial position is satisfactory, having regard to the original estimate of income and expenditure. If Council's financial position is considered by the RAO to be unsatisfactory, then recommendations for remedial action must be included.

The following statement is made in accordance with clause 203(2) of the *Local Government (General) Regulations 2005*.

It is my opinion that the Quarterly Budget Review Statement for Port Stephens Council for the quarter end 30/09/2020 indicates that Council's projected financial position will be satisfactory at year-end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Name: Tim Hazell

Responsible Accounting Officer, Port Stephens Council

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.



## ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

## 4) Income &amp; Expenses Budget Review Statement

Consolidated Income Statement	2021 Original Budget	Budget revotes & carry forwards	Budget Revision Sept Qtr	Budget Revision Dec Qtr	Budget Revision Mar Qtr	2021 Revised Budget	2021 YTD Actuals
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Rates and Annual Charges	63,649	-	-	-	-	63,649	62,373
User Charges & Fees Income	45,282	-	4,478	-	-	49,760	5,046
Interest & Investment Income	1,213	-	-	-	-	1,213	132
Other Income	7,665	-	190	-	-	7,855	1,824
Grants and Cont.	12,408	-	1,356	-	-	13,764	3,771
Grants and Cont.(Capital)	9,523	4,913	9,379	-	-	23,815	4,177
Fair value gains	810	-	-	-	-	810	-
Net Gain on Sale	8,272	-	-	-	-	8,272	-
<b>Total Revenue</b>	<b>148,822</b>	<b>4,913</b>	<b>15,402</b>	<b>-</b>	<b>-</b>	<b>169,138</b>	<b>77,323</b>
Employee Costs	52,268	-	600	-	-	52,868	12,365
Borrowing Costs	893	-	82	-	-	975	89
Materials & Contracts	39,468	-	1,209	-	-	40,677	5,962
Other Expenses	19,767	-	514	-	-	20,281	5,365
Depreciation & Impairment	17,092	-	-	-	-	17,092	3,516
<b>Total Expenditure</b>	<b>129,489</b>	<b>-</b>	<b>2,405</b>	<b>-</b>	<b>-</b>	<b>131,893</b>	<b>27,297</b>
<b>Operating Surplus/(Deficit) after capital grants</b>	<b>19,334</b>	<b>4,913</b>	<b>12,998</b>	<b>-</b>	<b>-</b>	<b>37,245</b>	<b>50,026</b>
<b>Operating Surplus/(Deficit) before capital grants</b>	<b>9,810</b>	<b>-</b>	<b>3,619</b>	<b>-</b>	<b>-</b>	<b>13,430</b>	<b>45,849</b>
Less: Net Gain on sale	(8,272)	-	-	-	-	(8,272)	-
Less: Fair value increases & royalties	(2,008)	-	-	-	-	(2,008)	(102)
Less: Newcastle Airport	(3,842)	-	-	-	-	(3,842)	(960)
Add: NAP Dividend	-	-	-	-	-	-	-
<b>Underlying Operating Surplus/(Deficit)</b>	<b>(4,311)</b>	<b>-</b>	<b>3,619</b>	<b>-</b>	<b>-</b>	<b>(691)</b>	<b>44,787</b>

## Notes:

1. Revised Budget = Original Budget +/- approved budget changes in previous quarters.

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRS.

## ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

Council's original operating budget for 2020-2021 was incorporated as part of the Integrated Plans and was adopted by Council on 23 June 2020.

This statement sets out the details of variations between Council's original operating budget and the revised budget as part of the September Quarterly Budget Review. This has altered from an original projected underlying deficit of \$4,311,000 to a revised deficit of \$691,000.

Note that for budgetary changes: **F** = favourable budget change, **U** = unfavourable budget change.

REVENUE	Budget Change	
	\$'000	F/U
<b>Rates and Annual Charges</b>	-	-
No Change		
<b>User Charges and Fees</b>	4,478	F
User charges and fees have increased due to the reforecasting of holiday park revenue now that they have reopened and an increase in parking meter income from the implementation of the smart parking program.		
<b>Grants and Contributions provided for Operating Purposes</b>	1,356	F
Income has increased due to COVID stimulus grants for child care, road works and environmental protection grants.		
<b>Interest and Investment Revenue</b>	-	-
No Change		
<b>Other Revenues</b>	190	F

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.

## ITEM 7 - ATTACHMENT 1      QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

Other revenue has increased primarily due to the opening of the Koala Sanctuary gift shop and café.

---

<b>Grants and Contributions provided for Capital Purposes</b>	<b>9,379</b>	<b>F</b>
---	--------------	----------

Capital grants & contributions have increased primarily due to the following projects:

- Little Beach boat ramp upgrade grant - \$1.6m
- Road Blackspot and Safer Roads grants - \$3.6m
- Spencer Park Soldiers Point playground and amenities - \$154k
- Federal and State stimulus grants for road rehabilitation - \$4m

---

<b>Net Gains from the Disposal of Assets</b>	<b>-</b>	<b>-</b>
--	----------	----------

No Change

---

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.

## ITEM 7 - ATTACHMENT 1      QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

EXPENDITURE	\$'000	Budget Change F/U
<b>Borrowing Costs</b>	<b>82</b>	<b>U</b>
Costs have been revised due to new bank loans taken out last financial year.		
<b>Depreciation, Amortisation and Impairment</b>	<b>-</b>	<b>-</b>
No Change		
<b>Employee Benefits and On-Costs</b>	<b>600</b>	<b>U</b>
Employee benefits and on-costs have increased primarily due to the reopening of the holiday parks and childcare operations.		
<b>Materials and Contracts</b>	<b>1,209</b>	<b>U</b>
Materials and contracts have been increased due to the reopening of the holiday parks and childcare operations, expenditure related to operational grants and Councils business support towards COVID-19 (Restart Program).		
<b>Other Expenses</b>	<b>514</b>	<b>U</b>
Other expenses have increased due to Councils business support towards COVID-19 (Restart Program) and increases in insurance premiums.		

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.

## 5) Capital Budget Review Statement

Consolidated - Summary	2021 Original Budget	Budget revotes & carry forwards	Budget Revision Sept Qtr	Budget Revision Dec Qtr	Budget Revision Mar Qtr	2021 Revised Budget	2021 YTD Actuals
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Grants and Cont.(Capital)	9,523	4,913	9,379	-	-	23,815	4,177
<b>Total Receipts</b>	<b>9,523</b>	<b>4,913</b>	<b>9,379</b>	<b>-</b>	<b>-</b>	<b>23,815</b>	<b>4,177</b>
Capital Equipment & Contracts	23,529	20,281	14,089	-	-	57,899	5,558
Property Acquisition & Development	-	-	-	-	-	-	15
<b>Total Payments</b>	<b>23,529</b>	<b>20,281</b>	<b>14,089</b>	<b>-</b>	<b>-</b>	<b>57,899</b>	<b>5,573</b>

This statement sets out the details of variations between Council's original capital budget and revised capital budget. There are budgetary changes proposed which result in a net increase in the capital program to the value of \$4.7m.

Note that for budgetary changes: **F** = favourable budget change, **U** = unfavourable budget change.

INCOME	\$'000	Budget Change F/U
<b>Capital Grants &amp; Contributions</b>	<b>9,379</b>	<b>F</b>

Capital grants & contributions have increased primarily due to the following projects:

- Little Beach boat ramp upgrade grant - \$1.6m
- Road Blackspot and Safer Roads grants - \$3.6m
- Spencer Park Soldiers Point playground and amenities - \$154k
- Federal and State stimulus grants for road rehabilitation projects - \$4m

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.

## ITEM 7 - ATTACHMENT 1      QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

EXPENDITURE	\$'000	Budget Change F/U
Property Acquisition and Development	-	-
No Change		
Capital Equipment and Contracts	14,089	U
Capital equipment and contracts have increased primarily due to the following projects:		
<ul style="list-style-type: none"> <li>• Road Blackspot and Safer Roads grants - \$3.6m</li> <li>• Road rehabilitation grants - \$4m</li> <li>• Little Beach Boat Ramp and Soldier Point revetment - \$2m</li> <li>• Recreation and Amenities projects - \$1.7m</li> <li>• Smart Parking project - \$850k</li> </ul>		

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.

## ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

The capital works program by section is as follows:

Consolidated - Detailed	2021 Original Budget	Budget revotes & carry forwards	Budget Revision Sept Qtr	Budget Revision Dec Qtr	Budget Revision Mar Qtr	2021 Revised Budget	2021 YTD Actuals
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Capital Funding</b>							
Capital Grants & Contributions	9,523	4,913	9,379	-	-	23,815	4,177
<b>Total Capital Funding</b>	<b>9,523</b>	<b>4,913</b>	<b>9,379</b>	<b>-</b>	<b>-</b>	<b>23,815</b>	<b>4,177</b>
<b>Capital Expenditure</b>							
<b>Corporate Services Group</b>							
<b>Commercial Property Reserve &amp; Cluster Plan</b>							
Fingal Bay Holiday Park	2,199	-	-	-	-	2,199	3
Halifax Holiday Park	295	-	-	-	-	295	19
Shoal Bay Holiday park	541	-	-	-	-	541	1
Thou Walla Sunset Retreat	100	-	-	-	-	100	-
Koala Sanctuary	100	549	-	-	-	649	914
Office and Chambers	-	-	-	-	-	-	-
Property Development	-	-	-	-	-	-	15
Administration Building	250	-	-	-	-	250	29
Property Investments	-	-	-	-	-	-	-
<b>Commercial Property Total</b>	<b>3,485</b>	<b>549</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,034</b>	<b>981</b>
Business Improvement Technology	380	119	-	-	-	499	91
<b>Corporate Services Group Total</b>	<b>3,865</b>	<b>668</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,533</b>	<b>1,071</b>

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.



## ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

Consolidated - Detailed	2021 Original Budget \$'000	Budget revotes & carry forwards \$'000	Budget Revision Sept Qtr \$'000	Budget Revision Dec Qtr \$'000	Budget Revision Mar Qtr \$'000	2021 Revised Budget \$'000	2021 YTD Actuals \$'000
<b>General Manager's Office</b>							
Software	-	-	230	-	-	230	-
<b>General Manager's Office Total</b>	<b>-</b>	<b>-</b>	<b>230</b>	<b>-</b>	<b>-</b>	<b>230</b>	<b>-</b>
<b>Facilities and Services</b>							
<b>Assets</b>							
Fleet Maintenance	2,104	-	356	-	-	2,460	125
Drainage and Flooding	1,100	319	27	-	-	1,446	615
<b>Assets Total</b>	<b>3,204</b>	<b>319</b>	<b>383</b>	<b>-</b>	<b>-</b>	<b>3,906</b>	<b>740</b>
<b>Community Services</b>							
Domestic Waste Management	-	235	-	-	-	235	-
Library Services	250	-	-	-	-	250	9
<b>Community Services</b>	<b>250</b>	<b>235</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>485</b>	<b>9</b>
<b>Capital Works</b>							
Capital Works Construction	6,882	19,060	13,476	-	-	39,418	3,752
<b>Capital Works Total</b>	<b>6,882</b>	<b>19,060</b>	<b>13,476</b>	<b>-</b>	<b>-</b>	<b>39,418</b>	<b>3,752</b>
<b>Facilities and Services Total</b>	<b>10,336</b>	<b>19,613</b>	<b>13,859</b>	<b>-</b>	<b>-</b>	<b>43,809</b>	<b>4,501</b>
Newcastle Airport	9,328	-	-	-	-	9,328	-
<b>Total Capital Expenditure</b>	<b>23,529</b>	<b>20,281</b>	<b>14,089</b>	<b>-</b>	<b>-</b>	<b>57,899</b>	<b>5,573</b>
<b>Net Outlay</b>	<b>14,006</b>	<b>15,368</b>	<b>4,711</b>	<b>-</b>	<b>-</b>	<b>34,084</b>	<b>1,395</b>

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRS.

## ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

## 6) Reserve Balances

This statement sets out the budgeted reserve balances and funding source change.

Reserves	Opening Balance	Rollover Transfers	Original Transfers in / (out)	Original Budget	Budget Revision Sept Qtr	Budget Revision Dec Qtr	Budget Revision Mar Qtr	Closing
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Administration Building Reserve	734	-	87	(250)	-	-	-	571
Asset Rehabilitation Reserve	409	(403)	2,000	(1,850)	(156)	-	-	-
Commercial Properties Reserve	31	(166)	1,733	-	(1,227)	-	-	371
Community Loans	200	-	-	-	-	-	-	200
Crown Reserves	1,583	(129)	3,115	(3,235)	(250)	-	-	1,084
Developer contributions and Haulage	4,530	(2,273)	5,019	(565)	1,767	-	-	8,478
Domestic Waste	5,266	(469)	(131)	(275)	-	-	-	4,391
Drainage Reserve	38	-	1,328	(1,100)	-	-	-	266
Election Reserve	400	-	100	-	-	-	-	500
Federal Assistance Grant in Advance Reserve	3,542	-	(3,542)	-	-	-	-	-
Fleet Reserve	1,315	-	2,200	(2,104)	(356)	-	-	1,055
IT Reserve	176	(119)	800	(380)	(230)	-	-	247
Newcastle Airport	13,776	-	13,959	(9,328)	-	-	-	18,407
Other Waste Services Reserve	451	(185)	(131)	-	-	-	-	135
Parking Meters Reserve	590	-	740	-	(847)	-	-	483
Repealed Funds Reserve	10,014	(5,012)	-	-	(3,492)	-	-	1,510
Roads / Environmental Reserve	-	-	425	(425)	-	-	-	-
Section 355C committees	674	-	-	-	-	-	-	674
Specific Purpose Unexpended Grants Reserve	520	(376)	(144)	-	-	-	-	-
Sustainable energy and water reserve	148	-	102	-	-	-	-	250
Unexpended Loan Funds Reserve	5,000	(4,524)	-	-	(476)	-	-	-
Ward Funds Reserve	39	(50)	66	-	(50)	-	-	5
<b>Total</b>	<b>49,436</b>	<b>(13,706)</b>	<b>27,726</b>	<b>(19,512)</b>	<b>(5,317)</b>	<b>-</b>	<b>-</b>	<b>38,627</b>

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.

## ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

7) Cash Flow Statement (Consolidated)	Original Budget	Revotes & Carried Forward	Budget Revision Sept	Budget Revision Dec	Budget Revision Mar	Revised Budget
Cash Flows from Operating Activities	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Receipts:</b>						
Rates and Annual Charges	63,308	-	-	-	-	63,308
User Charges & Fees Income	45,282	-	4,478	-	-	49,760
Interest & Investment Revenue Received	1,213	-	-	-	-	1,213
Other	2,762	-	190	-	-	2,952
Grants and Contributions	19,381	4,913	10,735	-	-	35,029
<b>Payments:</b>						
Employee Benefits & On-Costs	(55,211)	-	(600)	-	-	(55,811)
Borrowing Costs	(893)	-	(82)	-	-	(975)
Materials & Contracts	(39,040)	-	(1,209)	-	-	(40,249)
Other	(10,405)	-	(514)	-	-	(10,919)
<b>Net Cash provided (or used in) Operating Activities</b>	<b>26,397</b>	<b>4,913</b>	<b>12,998</b>	<b>-</b>	<b>-</b>	<b>44,308</b>
<b>Cash Flows from Investing Activities</b>						
<b>Receipts:</b>						
Proceeds from disposal of Property Plant & Equipment	250	-	-	-	-	250
Proceeds from development & land sales	12,950	-	-	-	-	12,950
<b>Payments:</b>						
Purchase of Real Estate, Infrastructure, Property Plant & Equipment and Intangibles	(23,529)	(20,281)	(14,089)	-	-	(57,899)
<b>Net Cash provided (or used in) Investing Activities</b>	<b>(10,329)</b>	<b>(20,281)</b>	<b>(14,089)</b>	<b>-</b>	<b>-</b>	<b>(44,699)</b>
<b>Cash Flows from Financing Activities</b>						
<b>Receipts:</b>						
Proceeds from borrowings	-	-	-	-	-	-
<b>Payments:</b>						
Repayment of Leases, Borrowings & Advances	(4,359)	-	-	-	-	(4,359)
<b>Net Cash provided (or used in) Financing Activities</b>	<b>(4,359)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(4,359)</b>
Net Increase/(Decrease) in Cash & Cash Equivalents	11,709	(15,368)	(1,091)	-	-	(4,750)
plus: Cash & Investments - beginning of year (*)	43,377	-	-	-	-	43,377
<b>Cash &amp; Investments - end of the year</b>	<b>55,086</b>	<b>(15,368)</b>	<b>(1,091)</b>	<b>-</b>	<b>-</b>	<b>38,627</b>

\*opening \* balance adjustment made to reflect 30 June 2020 actual closing balance

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRS.

**Cash Flow Statement Funding Reconciliation**

The 'Recommended Changes to Budget' in the September QBR constitute an overall decrease in Council's Cash Flow position by \$1.1m (Unfavourable) after the use of internal reserves and external funding sources are factored in.

PSC is clearly solvent based on the current and estimated cash position from the review changes. PSC's current cash position as per the September investment report was \$37.7m.

**8) Budget Review Contracts and Other Expenses**

Councillors are currently made aware of tenders of \$250,000 or more in accordance with legislation. However, Councillors should be made aware of other material contracts entered into by Council and details of other expenses that are of particular interest. To this end, a contract listing and details of legal fees and consultancy expenses are included in the QBRS.

Part A lists contracts (other than employment contracts and contracts entered into from Council's preferred suppliers list) that:

- Were entered into during the quarter ending 30/09/2020; and
- Have a value equal to or more than \$50,000.

Part B of the report shows expenditure as at 30/09/2020 for:

- Consultancies
- Legal fees

For the purposes of this report, a consultancy is defined as a person or organisation engaged under contract on a temporary basis to provide recommendation or high level specialist or professional advice to assist decision making by management.

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRS.

## ITEM 7 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW - SEPTEMBER 2020.

Part A  
Contracts Listing

Contractor	Contract Details and Purpose	Contract Value Inc GST	Commencement date	Contract end date	Budgeted (Y/N)
Boral Construction Materials Group Ltd	Seabreeze Estate Drainage - Improvement Works	\$ 143,128.81	12/08/2020	31/12/2020	Y
Eire Constructions Pty Ltd	RFQ50-2020 - Construction of Stormwater Drainage	\$ 142,171.25	26/08/2020	31/12/2020	Y
Bass Floor Company Newcastle	RFQ53-2020 - Administration Building Carpet Replacement	\$ 135,210.01	15/09/2020	31/12/2020	Y
Scone Outdoors	New Toro 4010d wing mower	\$ 94,090.01	24/07/2020	20/08/2020	Y
Coastal Earthmoving Hire Pty Ltd	Provision of top dress material to Newline Road Landfill site	\$ 90,750.00	25/08/2020	31/12/2020	Y
Gabba Sporting Products Pty Ltd	Korora Oval - Installation of Cricket nets and realignment of wicket	\$ 71,803.90	14/07/2020	21/08/2020	Y
Flynn Haulage & Earthmoving Pty Ltd	Fullerton Cove Road - Pavement Rehabilitation	\$ 70,950.00	15/09/2020	31/12/2020	Y
Steve Wattam Signs Pty Ltd	Koala Sanctuary Signage	\$ 67,695.46	20/08/2020	27/08/2020	Y
Fenworx Pty Ltd	Overlay of Lemontree Passage Road	\$ 62,192.52	21/08/2020	2/09/2020	Y
Civil Survey Solutions NSW Pty Ltd	Autodesk Renewal - 11 Oct 2020 to 10 Oct 2021	\$ 58,975.01	11/10/2020	10/10/2021	Y
Sweeney's Pumps & Irrigation Pty Ltd	Bill Strong Oval - Removal and Replacement of Bore Pump	\$ 55,327.00	11/08/2020	31/12/2020	Y
Garter Electrical Services Pty Ltd	Koala Sanctuary - Installation of two automated sliding gates	\$ 54,445.00	10/08/2020	31/12/2020	Y
WMA Water Pty Ltd	Anna Bay Tilligerry Creek Floodplain Management and Study Plan	\$ 51,000.00	7/07/2020	30/06/2021	Y
Modcoms Voice Data Mobility Pty Ltd	Renewal of Phone System Support and Maintenance	\$ 50,966.01	13/08/2020	12/08/2021	Y

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRS.

**Part B**  
**Consultancy & Legal Expenses**

Expense	Expenditure YTD (\$)	Budgeted (Y/N)
Consultancies	97,044	Y
Legal Fees	80,781	Y

A breakdown of the legal services expenditure is as follows:

Litigation	\$45,930
Advice	\$4,309
Conveyancing	\$2,026
Planning agreements	\$34,059

This document forms part of Port Stephens Council's Quarterly Budget Review Statement for the quarter ended 30/9/2020 and should be read in conjunction with other documents in the QBRs.

**ITEM NO. 8**

**FILE NO: 20/327798  
EDRMS NO: T24-2019**

**T24-2019 2 BAGNALL AVENUE SOLDIERS POINT - CONSTRUCTION OF 8 TOWNHOUSES**

REPORT OF: TIM HAZELL - FINANCIAL SERVICES SECTION MANAGER  
GROUP: CORPORATE SERVICES

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) That pursuant to section 10A(2)(d) of the Local Government Act, 1993, the Council resolve to close to the public that part of its meetings to discuss Item 8 on the Ordinary Council agenda namely T24-2019 2 BAGNALL AVENUE SOLDIERS POINT - CONSTRUCTION OF 8 TOWNHOUSES.
- 2) That the reasons for closing the meeting to the public to consider this item be that:
  - i) The report and discussion will include details of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the tenderers; and
  - ii) In particular, the report includes confidential pricing information in respect of the T24-2019 2 BAGNALL AVENUE SOLDIERS POINT - CONSTRUCTION OF 8 TOWNHOUSES.
- 3) That on balance, it is considered that receipt and discussion of the matter in open Council would be contrary to the public interest, as disclosure of the confidential commercial information could compromise the commercial position of the tenderers and adversely affect Council's ability to attract competitive tenders for other contracts.
- 4) That the report of the closed part of the meeting is to remain confidential and that Council makes public its decision including the name and amount of the successful tenderer in accordance with Clause 179 of the Local Government (General) Regulation 2005.
- 5) That Council reject all tender submissions based on the current scope of this project.

---

**BACKGROUND**

The purpose of this report is to reject all tender submissions for the proposed construction of 8 townhouses at 2 Bagnall Avenue, Soldiers Point. Due to the recent uncertainty of the fiscal climate due to COVID-19, in consultation with Property Advisory Panel (PAP), it was recommended that a thorough review of this project scope be conducted.



## ORDINARY COUNCIL - 24 NOVEMBER 2020

The tender was advertised on the 29 November 2019 and closed on the 7 February 2020 with a total of 6 submissions received at the close of the tender period, a summary which is included as **(ATTACHMENT 1)**.

The property at 2 Bagnall Avenue (formerly 14 Bagnall on some original reference documentation), Soldiers Point (known as Lot 1 DP 1101679) is a parcel of Council owned operational land. A development consent (16-2016-679-2) has been granted for the construction of 8 townhouses.

Due to COVID-19 pandemic and the uncertain financial market early in 2020, there was a concern of the financial viability of this project in its current format.

Property Services reviewed the project risks and in turn conducted a feasibility study. The valuations and profitability on the existing approved scope and an alternate development proposal were compared. In this process, the alternate development of a 4 lot subdivision is the preferred option by reducing financial commitment and increasing profitability to Council. This alternate development proposal is currently being prepared for lodgement for development consent.

The weightings agreed for this tender were:

Criteria	Weighting (%)
Price	40
Commercial terms and schedule compliance	5
Capability	15
Timing and work plan	25
Relevant experience and expertise	10
Quality	5
<b>Total</b>	<b>100</b>

## COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Financial Management	Maintain strong financial sustainability.

## FINANCIAL/RESOURCE IMPLICATIONS

There are significant financial implications as this proposal did not meet the financial expectations for council. A feasibility study was conducted which determined that this project was not financially feasible for Council in its current format.

**ORDINARY COUNCIL - 24 NOVEMBER 2020**

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

There are no significant legal, policy and risk implications.

Risk	<a href="#">Risk Ranking</a>	Proposed Treatments	Within Existing Resources?
There is a risk that should this project proceed, there is significant financial commitment and reduced profitability to Council.	High	Reject all tender submissions.	Yes

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

There are no significant social, economic or environmental implications.

**CONSULTATION**

Consultation with key stakeholders has been undertaken by the Property Services Section.

Internal

- Group Managers.
- Financial Services.
- Property Advisory Panel.

External

- Local agent engaged for an appraisal and general market advice to inform feasibility review.

**OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

**ATTACHMENTS**

- 1) CONFIDENTIAL Tender Evaluation - Weighted criteria methodology summary.

**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.

**ITEM NO. 9**

**FILE NO: 20/320416  
EDRMS NO: PSC2013-03965**

**PORT STEPHENS YOUTH STRATEGY 2020 - 2025**

REPORT OF: STEVEN BERNASCONI - COMMUNICATIONS SECTION  
MANAGER  
GROUP: DEVELOPMENT SERVICES

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Note the community engagement program undertaken as outlined in **(ATTACHMENT 1)**.
- 2) Adopt the Port Stephens Youth Strategy 2020 – 2025 as shown at **(ATTACHMENT 1)**.

---

**BACKGROUND**

The purpose of this report is to seek Council endorsement of the Port Stephens Youth Strategy 2020 – 2025 (the strategy) **(ATTACHMENT 1)**.

The strategy sets the direction for the delivery of youth friendly services, advocacy goals, infrastructure and programs in Port Stephens.

Throughout 2019, young people led a 9 month engagement program to inform the strategy. Engagement was primarily delivered face to face in high schools, as well as online and at community events.

Over 450 people were involved in the consultation process. Key engagement activities included:

- 2 service provider focus groups (48 participants)
- online survey (31 responses)
- internal staff focus group (14 participants)
- 4 school pop-up 'dotmocracy' sessions (250 participants)
- 2 events (109 participants)

The strategy also draws on themes from the recent findings of Council's Place Census **(ATTACHMENT 2)**.

The strategy focuses on young people aged 12 years to 24 years who live, work, learn and play in Port Stephens. It's a commitment from Council to work together with our external partners to deliver on the priorities defined by our young people. These priorities align with priorities at a national, state and regional level.

The strategy commits to 4 key priorities with actions aligned to these:

- Heard and involved: young people are making decisions that impact on their lives and have access to resources to help lead change.
- Connected and feel like they belong: feeling connected to community requires a young person to feel safe and proud of the place in which they live — a place that is inclusive of them.
- Ready and have pathways to success: young people in Port Stephens want to have access to the latest in technology and innovation.
- Healthy and happy: creating a community where health and general wellbeing can thrive requires a collective effort.

Following adoption of the strategy Council staff will work with young people and community partners to deliver initiatives identified in the strategy.

### **COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Community Diversity	Provide support for young people to build their confidence and contribution to the community.

### **FINANCIAL/RESOURCE IMPLICATIONS**

The recommendation will not result in any financial or resource implications.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	Yes		

### **LEGAL, POLICY AND RISK IMPLICATIONS**

There are no known legal or policy implications as a result of the proposed recommendation.

<b>Risk</b>	<b><a href="#">Risk Ranking</a></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that funding from the Department of Communities and Justice Targeted Earlier Intervention Program will no longer be available, putting staff resourcing at risk.	Medium	Adopt the recommendations.	Yes

### **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The strategy is focused on supporting positive social, economic and environmental outcomes for young people. Key areas of focus include mental health, education and employment, sustainability and creating opportunities to participate in shaping the future of our community.

### **CONSULTATION**

Consultation with key stakeholders has been undertaken by the Communications section.

#### Internal

- Assets
- Community Services
- Communications
- Strategy and Environment
- Organisation Support
- Councillor Two Way briefing on 17 November 2020

#### External

- Youth Advisory Panel
- Youth services sector – youth interagency group
- High schools – students and teachers
- Young people in the community

An engagement overview is contained in the strategy shown at **(ATTACHMENT 1)**.

**OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

**ATTACHMENTS**

- 1) Port Stephens Youth Strategy 2020-2025. [↓](#)
- 2) Place Census 2020 - Youth Snapshot. [↓](#)

**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.





**PORT  
STEPHENS  
YOUTH  
STRATEGY  
2020 TO 2025**

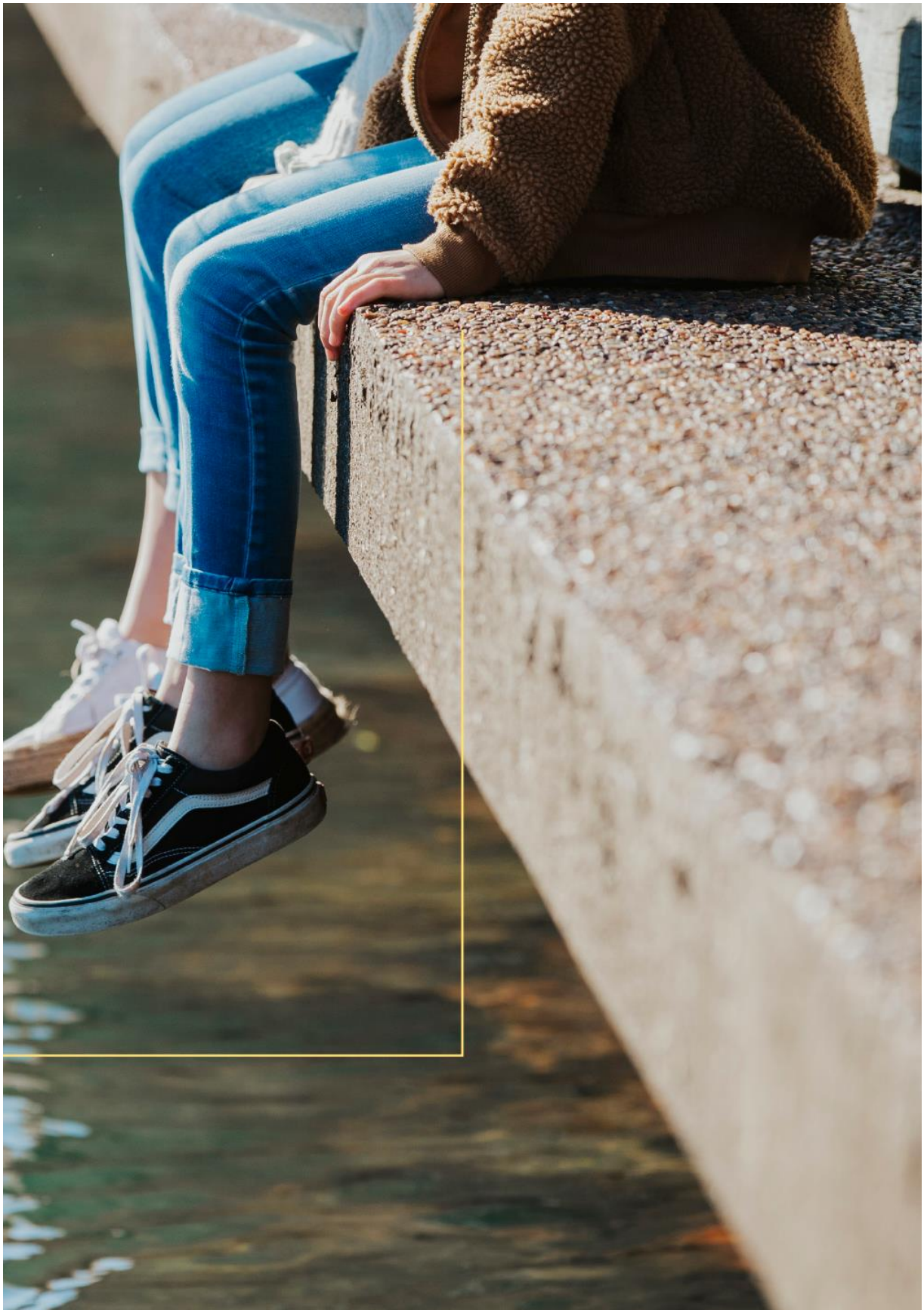
council@portstephens.nsw.gov.au | 02 4988 0255  
**PORTSTEPHENS.NSW.GOV.AU**    

 **PORT STEPHENS**  
COUNCIL

# CONTENTS

<b>Acknowledgement of Country</b>	<b>2</b>
<b>A message from our young people</b>	<b>3</b>
<b>A message from our Mayor</b>	<b>3</b>
<b>Our young people</b>	<b>4</b>
<b>About the strategy</b>	<b>4</b>
<b>Priority issues</b>	<b>4</b>
<b>Principles</b>	<b>6</b>
<b>How we engaged with local young people</b>	<b>7</b>
What we heard	8
<b>Action plan</b>	<b>10</b>
Priority 1: Heard and involved	11
Priority 2: Connected and feel like they belong	12
Priority 3: Ready and have pathways to success	13
Priority 4: Healthy and happy	14









---

# Acknowledgement of Country

Port Stephens Council acknowledges the Aboriginal and Torres Strait Islander people of this nation. We acknowledge the traditional custodians of the land of the Worimi. We pay our respects to ancestors and Elders, past and present. Port Stephens Council is committed to honouring Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to the land, waters and seas and their rich contribution to society.

We acknowledge the past and we are working toward a better tomorrow.





## A MESSAGE FROM OUR YOUNG PEOPLE

As a young person in Port Stephens with a passion for advocacy and leadership, having a Youth Strategy is incredibly important. Young people are the future of our community, so they should have a voice in how the future unfolds.

Giving young people the chance to voice their ideas and opinions on what affects them gives them the connection to their community many young people believe they don't have.

For me, the opportunity to be involved in decision-making at a local level, and with the YMCA Youth Parliament (NSW), has given me a stronger sense of belonging and belief in the capacity of my peers to contribute to positive change for all.

— Mahaylia Soars, Port West Youth Advisory Panel



Mayor Ryan Palmer and Cr Glen Dunkley at Youth Week 2019

## A MESSAGE FROM OUR MAYOR

I'm delighted to present the Port Stephens Youth Strategy 2020 to 2025.

This strategy sets the direction for the delivery of youth-friendly services, advocacy goals, infrastructure and programs in Port Stephens.

I'm proud to say our Youth Advisory Panel (YAP) have been instrumental in developing this strategy through their planning and consulting with many young people and youth service providers.

Our Council understands how important it is to listen to what our young people say and develop programs and activities based on their responses.

There's no doubt our young people are facing many challenges in 2020 and beyond, with impacts of COVID-19. This only reinforces our commitment to creating an environment for them to feel supported and flourish.

I want to thank everyone who helped shaped this strategy and I look forward to working with you into the future for the benefit of our young people.



## ABOUT THE STRATEGY

This strategy focuses on young people aged 12 years to 24 years who live, work, learn and play in Port Stephens. It's a commitment from our council to work together with our external partners to deliver on the priorities defined by our young people. These priorities align with priorities at a national, state and regional level.

## OUR YOUNG PEOPLE



**10,801** young people between the ages of  
**12 and 25** years of age call Port Stephens home.

- 10 to 19 years — 12.02% of the total population
- 20 to 29 years — 9.83%

The areas with the highest population of 10 to 19 years old are:

- Tomaree Peninsula 2770 (33%)
- Raymond Terrace 1689 (20%)
- Medowie 945 (11.2%)

## PRIORITY ISSUES

**Nationally**, Mission Australia's survey of 25,000 young people aged 15 to 19 years found their top priorities were:



**36%**  
MENTAL HEALTH



**34%**  
THE ENVIRONMENT



**25%**  
EQUITY AND  
DISCRIMINATION

(Mission Australia 2019 survey)

**In NSW**, the Office of the Advocate for Children and Young People's survey of 4000 young people found their top priorities were:

**67%**  
EDUCATION

**23%**  
EMPLOYMENT

**23%**  
TRANSPORT

**18%**  
HEALTH CARE

**17%**  
MENTAL HEALTH SUPPORT  
AND AWARENESS

(Conducted for the NSW Strategic Plan for Children and Young People 2016 to 2019)

The Regional Youth Framework 2020 prioritises young people in regional NSW and makes sure they are involved in decision-making to shape their future. The vision is for all regional young people to have opportunities for meaningful work, accessible health care and education — and to feel part of vibrant and inclusive communities.

It's hoped this approach will mean fewer young people feeling they have to move away to access opportunities and instead stay in communities they love. To change this, we need local solutions informed by local communities.

Locally, our survey of young people mostly aged 14 to 18 found the key issues were:



(Port Stephens Council Youth Strategy 2019 survey)

One of our Council's key roles is to make important links with the community sector, educational institutions, other levels of government and business to create the best possible outcomes for young people in Port Stephens.

We do this by:

- supporting **participation** in Council planning processes, especially in our Youth Advisory Panel and engagement processes
- building the capacity of local community-based organisations through **sharing professional knowledge** and expertise, and **providing funds** through community grant programs
- **advocating** on issues important to young people such as access to employment and training opportunities
- planning and **delivering programs** and events in partnership with young people and local service providers, including Youth Week and events related to significant issues for young people
- **investing in infrastructure** to meet young people's social, recreational and sporting needs.



## PRINCIPLES

We have developed principles that help us achieve our priorities and guide our approach to working with young people.

### Belong

To have a sense of **belonging** and connection to community.

Young people from a diverse range of backgrounds and lived experiences are given the opportunity to connect with each other and to support if needed through place-based initiatives and technology that helps build capacity for belonging.

### Participate

To actively **participate** in decision-making and events that are socially and culturally appropriate.

Young people have the opportunity to be involved in decision-making on issues that impact the community. This includes having access to the resources to participate in shaping their community today and into the future in ways that suit them.

### Aspire

To have access to **innovation** in learning, the workplace and initiatives that create a more liveable Port Stephens.

Young people need avenues to voice their aspirations and hopes for the present and the future. Resources and inspiring opportunities will allow them to grow and influence future generations with confidence, creativity and innovation.

### Partnership

To work in **partnership** across agencies and organisations to deliver a diverse range of support services and maximise capacity of existing resources.

Strategic partnerships involving young people are developed and maintained with and between community-based service providers and organisations. This will maximise outcomes and ensure there is no duplication in service delivery.





## HOW WE ENGAGED WITH LOCAL YOUNG PEOPLE

Throughout 2019, over 450 people were involved in the consultation process in 2019.

Our consultation themes:

- **Including us** — how can we help young people to connect with their community?
- **Happy and healthy** — how do we look after young people's wellbeing?
- **Feeling safe** — how do we make young people feel safe both emotionally and physically?
- **Living green** — how can young people express their desires and take action on protecting Port Stephens pristine environment?
- **Somewhere to live** — how do we create affordable housing options for young people who are homeless, living rough or at risk of becoming homeless?
- **Skilled and ready** — how do we improve opportunities for young people to access and complete education with a pathway to employment?

Where our responses came from:

- 2 service provider focus groups (48)
- online survey (31 responses)
- internal staff focus group (14)
- 4 school pop-up 'dotmocracy' sessions (250)
- 2 events and 5 short poems created (109)

## WHAT WE HEARD

### Community Interagency

#### Top issues

- feeling safe
- happy and healthy
- living green

#### Great ideas

- create opportunity to share people's talents like music, art, literature and more
- normalise difference by celebrating that everything is normal including disabilities, mental health challenges and young carers
- local environment valued and protected for future generations

### Tomaree Interagency

#### Top issues

- mental health
- employment

#### Great ideas

- mentoring links to local business and work-ready training
- improved access to services

### Council staff

#### Key findings

- many Council teams are already working closely with local high schools
- greater need to involve young people to voice their concerns and contribute to Council planning
- appetite for greater involvement by young people in events as performers, organisers and participants



## Pop-up 'dotmocracy' sessions

### Students voted on the themes that mattered most to them:

- Tomaree High School: somewhere to live, happy and healthy, feeling safe
- Alesco Senior College Nelson Bay: happy and healthy, somewhere to live
- Alesco Senior College Raymond Terrace: feeling safe, skilled and ready, somewhere to live
- Hunter River High School: happy and healthy, somewhere to live, skilled and ready
- Wandiyali (Community Service): happy and healthy, including us, feeling safe.

## Online survey

**Most respondents lived in Raymond Terrace (39%) followed by Medowie (13%) and Tanilba Bay (10%).**

### Top priorities:

FEELING SAFE

HAPPY AND HEALTHY

SOMEWHERE TO LIVE



"safety in open spaces and having somewhere safe to go"

"more job opportunities and options to get training or experience to make it easier for us to get job"

"easier access to therapy and mental health support"

"more youth venues and leisure activities that are cheap and affordable"

"affordable housing and rent"

"including us on local committees to make decisions about us, the community and the future"

"environmental programs for recycling and single-use plastics"









## ACTION PLAN

When we started analysing what young people told us, we established key priorities to help us reach their goals. These priorities have their foundations in our engagement themes and form the basis of our action plan.

The action plan also identifies:

- our role
- the partners (internal and external) involved in delivery of outputs
- what success will look like and how we'll measure progress
- highlights, key challenges and opportunities.

Our young people will be...

Heard and involved	Connected and feel like they belong	Ready and have pathways to success	Healthy and happy
<ul style="list-style-type: none"> <li>• opportunity to participate in shaping the future of our community</li> <li>• empowered to raise their voice on issues important to them, including a sustainable future</li> </ul>	<ul style="list-style-type: none"> <li>• feel safe and welcomed in our public spaces and facilities</li> <li>• have opportunities to showcase their local talent and get involved in planning and running events</li> </ul>	<ul style="list-style-type: none"> <li>• improved pathways into education, training and employment</li> <li>• supported to adapt and respond to changing job markets and trends</li> </ul>	<ul style="list-style-type: none"> <li>• supported and nurtured by a cohesive network of services</li> <li>• access to a range of youth-appropriate initiatives</li> </ul>



## Priority 1: Heard and involved

**Young people are making decisions that impact on their lives and have access to resources to help lead change.**

In making the best decisions for the future, we know we need to involve young people's voices and skills. Young people need to:

- have the opportunity to participate in shaping the future of our community
- feel empowered to raise their voice on issues important to them.

### How do we achieve this?

Keep doing	Start doing
<ul style="list-style-type: none"> <li>• deliver targeted youth engagement to support planning of our Council's assets and development of strategic plans</li> <li>• develop and maintain YAP</li> <li>• provide funding programs that support initiatives led by young people</li> </ul>	<ul style="list-style-type: none"> <li>• develop a coordinated program of activities delivered by our Council in partnership with local high schools and young people</li> <li>• plan and deliver a sustainable futures event and workshops</li> </ul>

### Who is involved in this work?

Council partnerships	External partnerships
<ul style="list-style-type: none"> <li>• Communications Section</li> <li>• Assets Section</li> <li>• Capital Works Section</li> <li>• Strategy and Environment Section</li> <li>• Community Services Section</li> </ul>	<ul style="list-style-type: none"> <li>• local high schools</li> <li>• diverse range of community groups including environmental organisations</li> <li>• not-for-profit and community support sector</li> </ul>

**What success looks like:** Participation in the Youth Advisory Panel is high and young people are actively working alongside and within community organisations. Our young people feel safe, valued and have the opportunity to express themselves in diverse ways.

**Challenges and opportunities:** Young people want to lead the planning and delivery of youth-focused initiatives. They want to step up to support change and actively participate in the process. We need to focus on strengthening the capacity of both Council and community-based organisations to make this happen.



## Priority 2: Connected and feel like they belong

**Feeling connected to community requires a young person to feel safe and proud of the place in which they live — a place that is inclusive of them.**

We know young people value the lifestyle of growing up in Port Stephens. Young people have said the natural environment plays a big part in creating this sense of belonging. We also need to ensure that young people:

- feel safe and welcomed in our public spaces and facilities
- have opportunities to engage with their strengths and be involved in community life.

### How do we achieve this?

Keep doing	Start doing
<ul style="list-style-type: none"> <li>• provide safe and accessible sport and recreation facilities</li> <li>• support a diverse range of activities and events with and for young people across Port Stephens including The Lounge and Youth Week events</li> <li>• deliver annual awards like Young Citizen of the Year and International Women's Day Scholarship</li> </ul>	<ul style="list-style-type: none"> <li>• plan and deliver the Live on The Lounge online event offering local young artists and musicians the chance to share their talent</li> <li>• deliver digital short stories program to celebrate and promote our public spaces</li> </ul>

### Who is involved in this work?

Council partnerships	External partnerships
<ul style="list-style-type: none"> <li>• Communications Section</li> <li>• Assets Section</li> <li>• Capital Works Section</li> <li>• Strategy and Environment Section</li> <li>• Community Services Section</li> </ul>	<ul style="list-style-type: none"> <li>• young people</li> <li>• local sporting clubs and sports councils</li> <li>• not-for-profit and community support sector</li> <li>• local parks and reserves groups</li> </ul>

**What success looks like:** Young people are visible in the community enjoying public spaces and accessing opportunities to share their skills and passions. Their contribution to community life is recognised and celebrated.

**Challenges and opportunities:** Port Stephens covers over 85,000 hectares, with our population spread from rural properties to suburban town centres. This creates barriers including limited transport options and opportunities to connect face-to-face. We need to focus on localised responses to address social needs to overcome these barriers.



### Priority 3: Ready and have pathways to success

#### Young people in Port Stephens want to have access to the latest in technology and innovation.

We know, like other parts of regional Australia, there's work to do to keep young people learning and working in the region. This requires young people to have:

- clear and accessible pathways to education, training and employment
- support to adapt to changing job markets, trends and cultural priorities.

#### How do we achieve this?

Keep doing	Start doing
<ul style="list-style-type: none"> <li>• deliver the annual Mayoral Academic Scholarship Program</li> <li>• offer apprentice, cadet and trainee opportunities</li> <li>• host career information workshops in partnership with business and schools</li> <li>• support workforce development opportunities in partnership with local industry and education providers</li> <li>• support action included in Aboriginal Agreement, Yabang Gumba-Gu</li> </ul>	<ul style="list-style-type: none"> <li>• create new work opportunities for young people in Council business</li> <li>• develop a podcast series on future learning and work initiatives with a focus on entrepreneurship and smart technologies</li> <li>• document a series of digital stories on our successful trainees and apprentices</li> </ul>

#### Who is involved in this work?

Council partnerships	External partnerships
<ul style="list-style-type: none"> <li>• Communications Section</li> <li>• Strategy and Environment Section</li> <li>• Organisation Support Section</li> </ul>	<ul style="list-style-type: none"> <li>• creative young people</li> <li>• local business and industry</li> <li>• local high schools</li> <li>• not-for-profit and community support sector</li> </ul>

**What success looks like:** Young people are able to access formal and informal learning opportunities and connect with networks that align to their interests and skills. They have the prospect of future work and job opportunities in the local community.

**Challenges and opportunities:** COVID-19 has led to less certainty around future education, training and employment opportunities. Port Stephens is reliant on the tourism and hospitality sectors for employment and has experienced high rates of Jobkeeper take up due to COVID. We need to encourage innovative approaches to future learning and an entrepreneurial spirit among young people.



## Priority 4: Healthy and happy

**Creating a community where health and general wellbeing can thrive requires a collective effort.**

Young people have repeatedly identified the challenges they face to their mental wellbeing. Issues with access and stigma are all barriers to maintaining physical and mental health. Our plan aims for young people to be:

- supported and nurtured by a cohesive network of services
- able to access professional support and initiatives that promote wellbeing..

### How do we achieve this?

Keep doing	Start doing
<ul style="list-style-type: none"> <li>• develop and maintain partnerships with agencies that work with vulnerable young people</li> <li>• provide sector coordination and leadership in key projects that support vulnerable young people</li> <li>• provide and promote access to information relevant to young people using appropriate platforms</li> <li>• active participation and leadership within local Youth Interagency network</li> </ul>	<ul style="list-style-type: none"> <li>• develop program of opportunities for Council staff to use community volunteer leave to support work of community agencies</li> <li>• develop podcast on wellbeing including information about local services and access pathways to support</li> </ul>

### Who is involved in this work?

Council partnerships	External partnerships
<ul style="list-style-type: none"> <li>• Communications Section</li> <li>• Strategy and Environment Section</li> <li>• Organisation Support Section</li> </ul>	<ul style="list-style-type: none"> <li>• local youth interagency members</li> <li>• Department of Communities and Justice (DCJ)</li> <li>• DCJ locally funded service providers</li> <li>• not-for-profit and community support sector</li> </ul>

**What success looks like:** Young people have access to the professional support and community infrastructure they need to live a meaningful and healthy life.

**Challenges and opportunities:** One of the biggest impacts of COVID-19 has been the need to look at alternative ways to connect and engage with young people using digital media. A number of local services are already using new technologies to help drive service delivery and promote access.





**PORT STEPHENS**  
COUNCIL

116 Adelaide Street | PO Box 42  
Raymond Terrace NSW 2324  
[council@portstephens.nsw.gov.au](mailto:council@portstephens.nsw.gov.au)  
02 4988 0255

**PORTSTEPHENS.NSW.GOV.AU**





# Place census 2020 - Youth Snapshot

## Top community neighbourhood values for young people under 25

A natural environment that is protected and a built environment that reflects sustainability best practice



Protection of the natural environment	62%
Sustainable urban design	49%

A diverse, engaging and safe nighttime economy



Sense of personal safety	52%
Things to do in the evening	51%

Sustainable built environment and community behaviours



Sustainable behaviours in the community	53%
Sustainable urban design	49%

## Top youth place values

Elements of natural environment	71%
General condition of public open space	63%
Walking/jogging/bike paths that connect housing to communal amenity	56%
Sense of neighbourhood safety	54%
Local businesses that provide for daily needs	53%
Protection of the natural environment	53%
Locally owned and operated businesses	53%
Sense of personal safety	51%

Access and safety of walking, cycling and/or public transport	48%
Access to neighbourhood amenities	47%
Quality of public space	46%
Landscaping and natural elements	42%
Spaces suitable for specific activities or special interests	41%
Evidence of recent public investment	40%
Overall visual character of the neighbourhood	40%

## ITEM 9 - ATTACHMENT 2 PLACE CENSUS 2020 - YOUTH SNAPSHOT.

### Top strenghts and priorities 2020, Entire LGA under 25, all genders

#### ● Neighbourhood strengths

These identify attributes that the community cares about and are performing well. These should be celebrated and protected.

Local businesses that provide for daily needs 45%

Elements of natural environment 62%

#### ● Liveability priorities

These identify the aspects of our neighbourhoods that are important to people but are currently underperforming. Improving these attributes will have the most significant impact on our community.

Things to do in the evening 51%

Sustainable behaviours in the community 53%

Sustainable urban deisgn 49%

Protection of the natural environment 62%

Quality of public space 42%

Sense of personal safety 52%

Landscaping and natural elements 52%

General condition of public open space 50%

#### ● Secondary priorities

These identify attributes to look-out for. They are negatively affecting liveability and can become more significant issues if more people start caring about them.

Evidence of recent public investment 35%

Local employment opportunities 29%

Spaces suitable for specific activities or special interests 40%

Cultutal and/or artistic community 25%

Walking jogging/bike paths that connect housing to communal amenity 39%

Sense of neighbourhood safety 40%

Access and safety of walking, cycling and/or public transport 35%

Access to shared communityand commercial assets 25%

Evidence of Council/government management 28%

ITEM NO. 10

FILE NO: 20/320869  
EDRMS NO: PSC2020-03038

## OUR INCREDIBLE PLACE STRATEGY

REPORT OF: STEVEN BERNASCONI - COMMUNICATIONS SECTION  
MANAGER  
GROUP: DEVELOPMENT SERVICES

---

### RECOMMENDATION IS THAT COUNCIL:

- 1) Note the community engagement program undertaken as outlined in **(ATTACHMENT 1)**.
- 2) Adopt the Port Stephens Our Incredible Place Strategy **(ATTACHMENT 1)**.

---

## BACKGROUND

The purpose of this report is to seek Council endorsement for the Our Incredible Place Strategy (the strategy) **(ATTACHMENT 1)**. The strategy sets Council's strategic direction for events, arts and culture in Port Stephens.

This strategy will provide the framework to:

- create vibrant spaces that enhance a sense of place
- support the liveability and wellbeing of the Port Stephens community
- attract and support events and cultural initiatives that create economic growth
- build capacity across the local community.

Culture is a common thread that binds a community together. It represents the way of life of Port Stephens residents and reflects their values and beliefs. The culture of Port Stephens is diverse and unique. It includes a long and proud indigenous history, a strong sporting culture, rare and incredible natural resources, a vibrant and contemporary arts and creative community.

Previously, Council has developed a stand-alone cultural plan and events strategy. As part of ongoing internal and external consultation, it became evident that events, arts and culture were fundamentally aligned and linked directly to the unique culture of the Port Stephens community.

In 2019, Council undertook a formal consultation process to identify needs, assets and challenges. The process included input from the Strategic Art, Aboriginal Strategic Committee and Heritage Advisory Committee. Over 320 community members participated in consultation activities as outlined in **(ATTACHMENT 1)**.

The Our Incredible Place Strategy will provide the framework for growing and celebrating culture across Port Stephens. The strategy will provide Council, business and residents with a blueprint to work in partnership to increase the liveability and wellbeing of the Port Stephens community, attract new residents, support investment and drive economic growth.

### COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Thriving and Safe Place to Live	Support the amenity and identity of Port Stephens.
Strong economy, vibrant local businesses, active investment	Support sustainable business investment in Port Stephens.

### FINANCIAL/RESOURCE IMPLICATIONS

The recommendation will not result in any financial or resource implications.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	No		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

### LEGAL, POLICY AND RISK IMPLICATIONS

There are no known legal or policy implications as a result of the proposed recommendation.

Risk	<a href="#">Risk Ranking</a>	Proposed Treatments	Within Existing Resources?
There is a risk that Council's reputation may be damaged as a result of decisions made without a strategy that reflects the needs of residents, visitors and the community.	Low	Adopt the recommendations.	Yes

## **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

Across Port Stephens, the arts, events and cultural experiences are increasingly influencing economic outcomes. New residents are searching for towns and cities which balance career and lifestyle and business are seeking to invest in communities that are creative, innovative and engaged.

Culture contributes directly to liveability and wellbeing, in particular through vibrant and diverse activities such as cultural events and celebrations. These activities have a unique ability to bring people together, broaden perspectives, provide inspiration and entertain.

## **CONSULTATION**

Consultation with key stakeholders has been undertaken by the Communication section and the Economic Development and Tourism team.

### Internal

Consultation was undertaken with the Assets, Strategy and Environment, and Communications sections.

Two Way briefings were held with Councillors on 17 March 2020 and 17 November 2020. Feedback from internal stakeholders was used to inform the strategy.

### External

In 2019, Council undertook a formal consultation process to identify needs, assets and challenges. The process included input from the Strategic Art, Aboriginal Strategic Committee and Heritage Advisory Committees. Over 320 community members participated in consultation activities. A summary of the engagement is outlined in **(ATTACHMENT 1)**.

## **OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

## **ATTACHMENTS**

- 1) Port Stephens Our Incredible Place Strategy. [↓](#)

## **COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.



ITEM 10 - ATTACHMENT 1 PORT STEPHENS OUR INCREDIBLE PLACE STRATEGY.



## CONTENTS

Welcome to Port Stephens	2
Mayor's Message	3
Strategic Foundation	4
About the Strategy	5
Cultural Precincts	6
Cultural Identity	8
The Value	10
Council's Role	12
The Consultation Process	14
Key Themes Identified	16
Opportunities and Challenges	18
Strategic Approach	22
Measures for Success	23

## GUUDJI YIIGU

(GOO-JEE IK-KOO) The Worimi Traditional Owners' Welcome to Country

The Port Stephens local government area (LGA) is part of the Worimi Aboriginal Nation and is the traditional land of the Worimi people. Council values the unique status of Aboriginal people as the traditional owners and custodians of lands and waters, including those of the Port Stephens LGA.

Council is extremely proud (djirang) of the journey (yawutung) with the Aboriginal community in keeping the Worimi language and people (warrimay) alive (balyangbu). Their heritage and belonging to (guba) country (Barray) is an imperative road (yabang) to be walked together, that can only be realised through cultural listening, learning and action for generations to come.







### A message from the Mayor

Port Stephens is a beautiful place blessed with many incredible natural wonders and home to a diverse community living in coastal villages, riverside suburbs, rural lands and historic town centres all with a strong sense of community and unique identity.

As Port Stephens continues to grow at an unprecedented rate we need to look ahead, learn from the past, listen to our community and create innovative plans and strategies to deliver the value, lifestyle and sense of place the people of Port Stephens richly deserve.

It is important though, in a time of growth, that we never lose sight of our true identity, that we maintain our community's values and treasure the things that make us love this incredible place and the people who live in it.

Doing more of the same is the same as doing nothing - this is not an option. Council is committed to change and have listened to our community, business and visitors.

Port Stephens' cultural ecosystem makes a powerful contribution to our identity, our happiness and wellbeing, our lifestyles and our economy.

This strategy sees Council and our diverse community

working together to co-create the future, while honouring all sectors that contribute to the culture of where we live; Worimi people and land, heritage of local places, the makers and creators, business and tourism... all creating a unique place that identifies us as Port Stephens; a place to work, live and play.

I would like to thank and congratulate those members of our community that had input into the development of this Plan; including our own Strategic Arts, Aboriginal and Heritage Advisory Committees, the Tomaree Business Chamber, Destination Port Stephens members and many other individuals who engaged with us and offered valuable insights into what is important for events, the arts and culture in Port Stephens.

Our community's sense of belonging, its diversity, access and inclusivity are central to this strategy. We will need to work hard, create, innovate and activate new strategies to build on our cultural identity and to reinvent this place that we love for it to continue to be a significant contributor to the growing economy of the Hunter Region.

**Ryan Palmer**  
Mayor of Port Stephens





## STRATEGIC FOUNDATION

"Culture" is a common thread that binds a community together... it's about what matters to people and communities. It represents the way of life of our residents and reflects their values and beliefs. The culture of our place is a delightfully diverse concoction comprising all the things that make Port Stephens so unique; a long and proud Indigenous heritage; a strong sporting culture; rare and incredible natural resources; our coastal location; a vibrant contemporary arts and creative culture; as well as the rich and colourful history. When we talk about 'culture' in this Strategy we mean events, the arts, our stories, history, aboriginal culture and sense of place.

Through conversations with business and community, it became evident that there was a fundamental link between these important elements of our place.

This set the foundations of this strategy which moved from one where planning for events, the arts and culture occurred in isolation to one where our culture and all the elements that make Port Stephens the place it is today are strategically and operationally aligned.





## ABOUT THE STRATEGY

Port Stephens Council recognises that investing in events, the arts and culture will create **better places and better spaces** and, in turn, will increase a sense of community and security as well as improve the health and wellbeing of our residents. We are acutely aware, from the feedback we've received, that our most important and valuable asset is the environment in which we live. This speaks volumes for the immense passion residents hold for their natural environment as a place to express themselves. It is Council's role to cultivate new experiences and offerings linked to local food, art and performance. Our streets will no longer simply be movement corridors but "live site" locations for festivals, street art, performances, gatherings, busking or pop-up dining. Our town centres and public spaces repurposed and flexible sites open to community

initiatives all year round. It is our hope to create places for people and promote new ways to repurpose our spaces for leisure, for business and most of all... for fun.

The creation of vibrant spaces is a key driver of economic growth and improves the liveability of communities and wellbeing of a place. It entices investment, helps business retain a skilled workforce and attracts visitors who stay and spend in our local communities.

This strategy will provide the framework for growing and celebrating our culture. It will provide Council, business and residents a blueprint to work in partnership together, to celebrate our unique identity, increase investment in our communities and deliver more economic opportunities for our people.

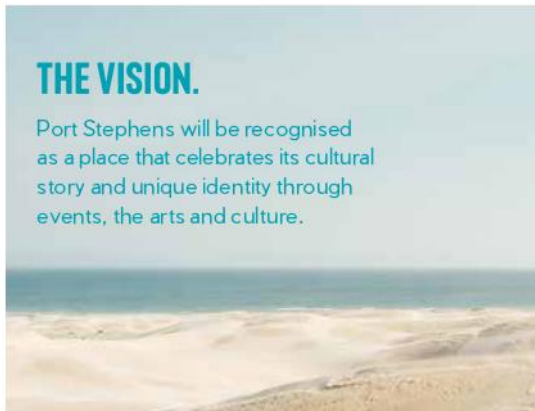
### THE PURPOSE.

Through events, the arts and culture, we will increase the liveability and wellbeing of the Port Stephens community, attract new residents, support investment and drive economic growth.



### THE VISION.

Port Stephens will be recognised as a place that celebrates its cultural story and unique identity through events, the arts and culture.



“

Culture is an essential element to support strong and vibrant communities... increasing the liveability of our place, the wellbeing of residents, attracting sustainable visitation and driving economic growth.

”



## ITEM 10 - ATTACHMENT 1 PORT STEPHENS OUR INCREDIBLE PLACE STRATEGY.

**PRECINCT 1 - WHERE THREE RIVERS MEET**

Water runs through vast farming properties and small historical towns in this Precinct. Experience restored wooden bridges and heritage community halls and houses. The Woodville shop is Australia's oldest continually running business still carrying on the same services it was licensed for in 1844. Residents are intensely proud of their rural environment and the stories from the past as well as opportunities for events and activities for the future.

**PRECINCT 2 - READY. SET. GROW!**

From rural hobby farms to National Parks with saltwater creeks to the Bay and the river. Demand for housing in this Precinct is growing in the towns of Medowie and Karuah. With its highway bypass, Karuah is now a quiet town, with a remarkable history and strong timber and oyster industries. The Karuah Aboriginal Mission is significant, with a strong connection to the wetlands and the river. Fishing the river is important to local people and visitors alike. Tree changers are attracted to Medowie to experience local produce and a rural atmosphere.

**PRECINCT 3 - INNOVATION IN INDUSTRY**

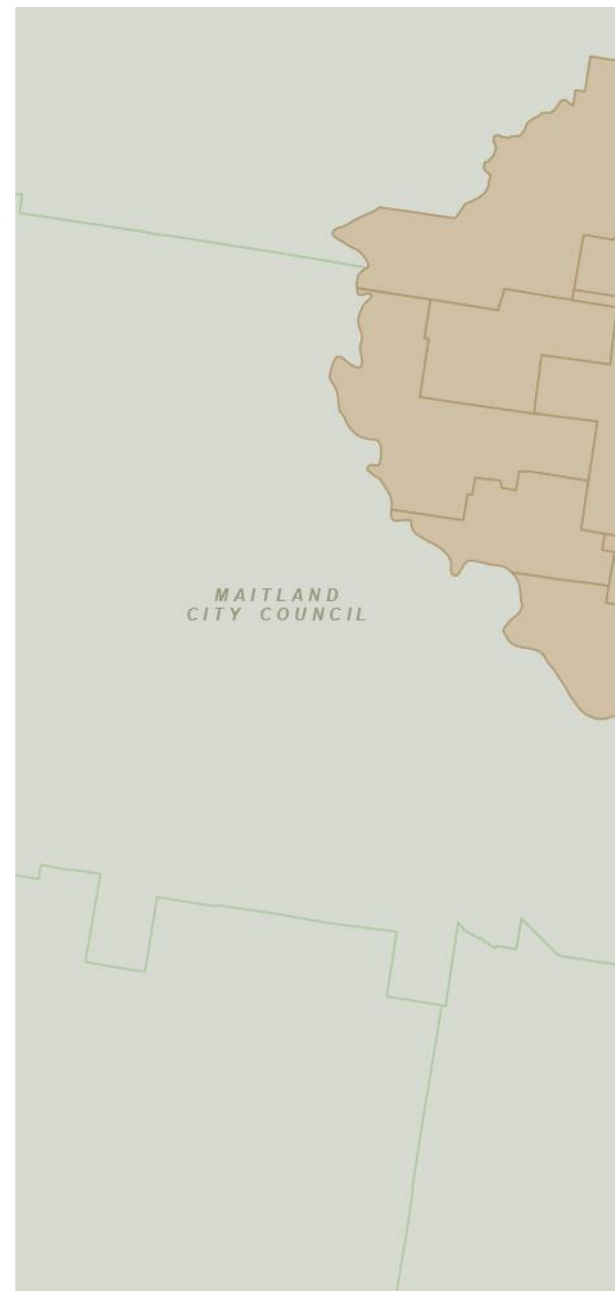
Heatherbrae and Tomago are significant employment clusters. These industrial areas are in close proximity to Raymond Terrace, and have been identified as a Strategic Centre in the Greater Newcastle Metropolitan Plan 2036. The historic significance of Raymond Terrace with links to the river can be showcased in heritage trails and tours, in particular King Street. Williamtown is the Global Gateway with the growth of Newcastle Airport, Williamtown Special Activation Precinct and RAAF base providing employment and growth across the region.

**PRECINCT 4 - BAYSIDE SERENITY**

The Tilligerry Peninsula and surrounds has a small town holiday feel. The Tilligerry Habitat, boardwalks and reserve trails along the water's edge attract many koalas and visitors to spot them in their natural environment. An expansive creek runs out to the bay and across to Soldiers Point, where the Worimi people would spend their time fishing. Middens and burial grounds exist, with the area being gazetted an Aboriginal Place.

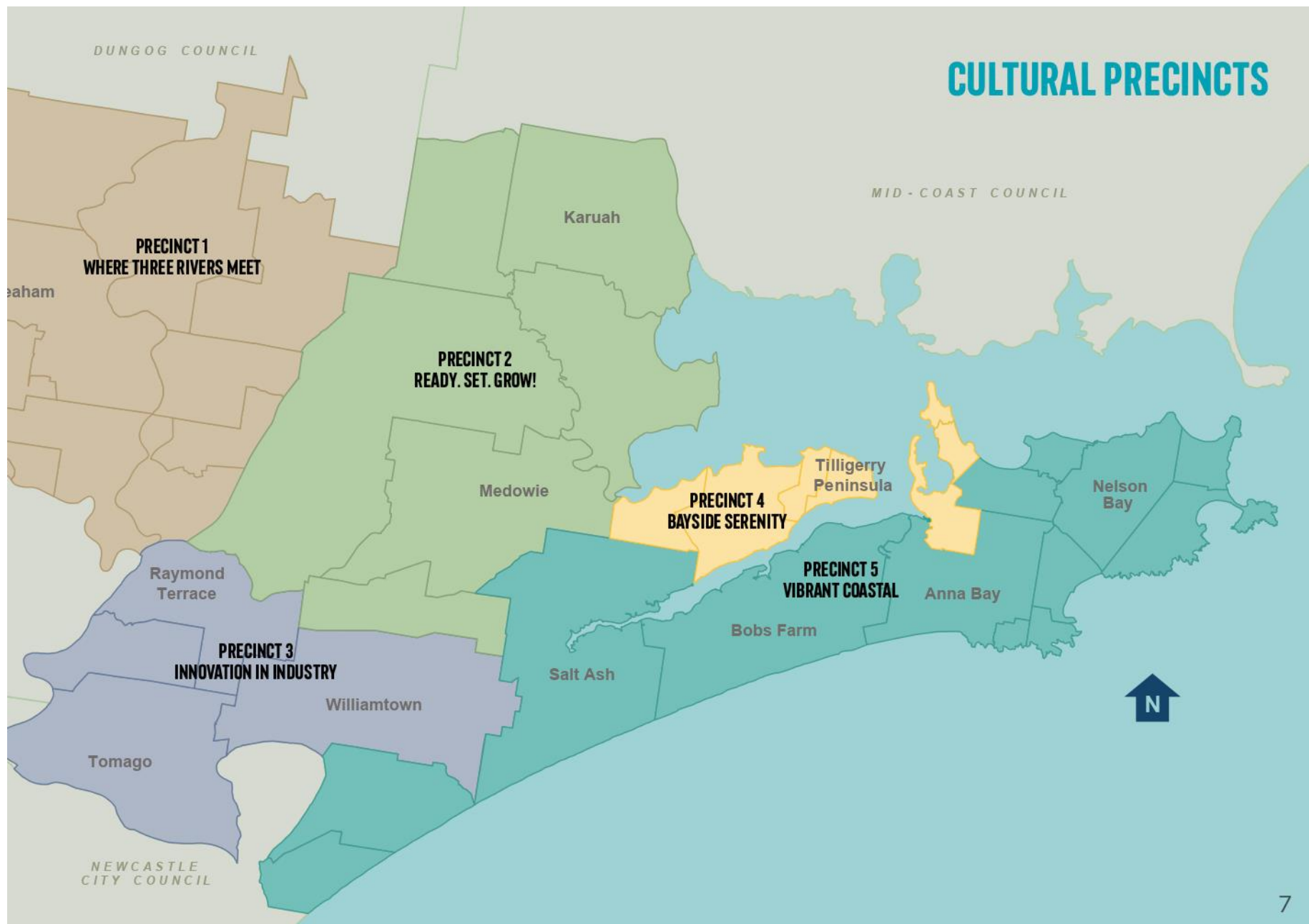
**PRECINCT 5 - VIBRANT COASTAL**

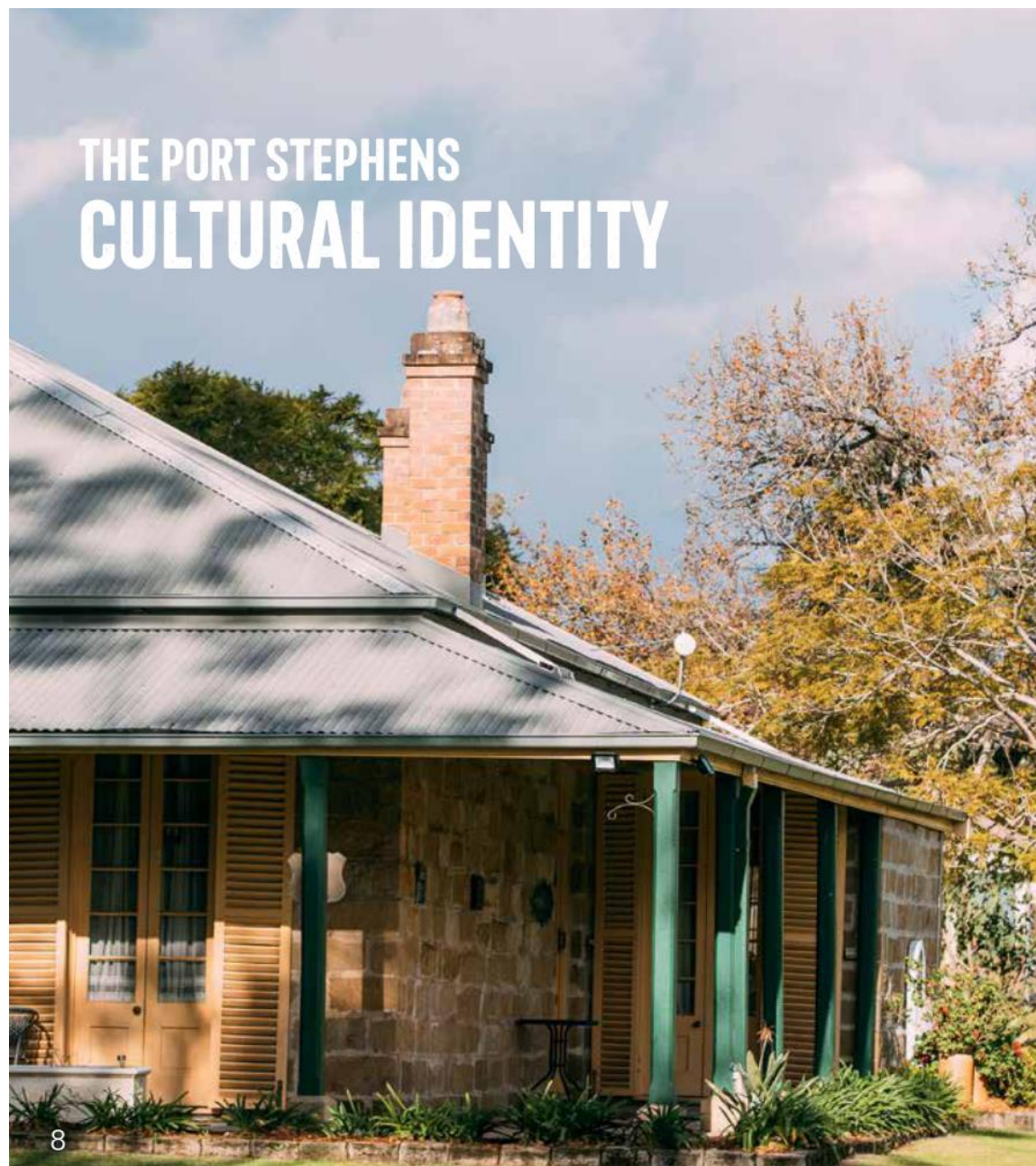
The coastline from Stockton in Newcastle to Anna Bay is covered in vast sand dunes and freshwater pools. At the heart is the ancient and expansive Worimi Conservation Lands – gazetted as an Aboriginal Place. With pristine bays and surf beaches, wildlife, walking and bike trails, the natural assets make this Precinct a tourist mecca. Beyond the natural, this Precinct draws people to visit boutique shops, cosmopolitan dining, cafés and relaxed marina life.





ITEM 10 - ATTACHMENT 1 PORT STEPHENS OUR INCREDIBLE PLACE STRATEGY.





The Port Stephens Cultural Precincts provide a clear description of the individual identities of our towns and villages. They describe what makes our neighbourhoods and communities distinctive and are designed to maintain, enhance and cultivate the unique character and identity of place.

These Precincts are a valuable tool in the delivery of placemaking initiatives by ensuring alignment between the delivery of projects and the identity of place. Cultural Precincts also help identify broader areas for future planning of events, the arts and culture which will help support the development of creative clusters. They will be used across Council to priorities and invest in new initiatives through our grants, sponsorship, capital works investment and programming.

The Cultural Precincts were created in partnership with our community and identified the value, opportunities and priorities for each Precinct. Over time, these cultural zones and the character statements associated with each Precinct will evolve.

The Cultural Precincts information provides a guide to help communicate the priorities, opportunities and values. It is not intended to be a comprehensive list, but more a framework to communicate the values of each of our communities to help inform public art, events and cultural activities. What these opportunities look like will be determined by the creativity, innovation and imagination of those that live, work and play in Port Stephens.

## ITEM 10 - ATTACHMENT 1 PORT STEPHENS OUR INCREDIBLE PLACE STRATEGY.

LOCATION	Public Art	Events	Heritage	Activation	Interpretation and Story Telling
<b>WHERE THREE RIVERS MEET</b>					
Gateway entrances and town centres	✓				
Connections to the river		✓			
Heritage trails & experiences	✓		✓	✓	✓
<b>READY. SET. GROW!</b>					
Town Centres				✓	
Boyd Oval Medowie		✓			
Medowie Sports Precinct		✓			
Longworth Park	✓	✓		✓	
Karuah Riverfront	✓	✓			✓
<b>INNOVATION IN INDUSTRY</b>					
Newcastle Airport	✓				✓
King St Raymond Terrace	✓	✓	✓	✓	✓
Boomerang Park		✓	✓		✓
Riverside Park	✓	✓		✓	✓
Raymond Terrace Town Centre	✓			✓	✓
Industrial Precincts				✓	

LOCATION	Public Art	Events	Heritage	Activation	Interpretation and Story Telling
<b>BAYSIDE SERENITY</b>					
Henderson Park	✓	✓		✓	
Nature Reserves	✓				✓
Soldiers Point Aboriginal Place					✓
Taylors Beach Industrial Precinct				✓	
Tanilba Bay Town Centre				✓	
<b>VIBRANT COASTAL</b>					
Fern Bay Hall & Park Precinct		✓		✓	
One Mile Beach		✓			
Fly Point		✓			
Robinson Reserve	✓	✓		✓	✓
Birubi Point Aboriginal Place		✓		✓	✓
Apex Park	✓	✓		✓	
Tomaree Sports Complex		✓			
Salamander Sports Complex		✓			
Nelson Bay Town Centre	✓	✓		✓	✓
Nelson Bay Foreshore	✓	✓		✓	✓
Shoal Bay Foreshore	✓	✓		✓	✓



## ITEM 10 - ATTACHMENT 1 PORT STEPHENS OUR INCREDIBLE PLACE STRATEGY.

## THE VALUE OF EVENTS, THE ARTS AND CULTURE



10

## ECONOMIC BENEFIT

Across Port Stephens, events, the arts and cultural experiences are increasingly influencing economic outcomes; new residents are searching for towns and cities which balance career and lifestyle and business are seeking to invest in communities that are creative, innovative and engaged.

From a tourism perspective, consumers are searching for experiences which are unique and authentic. Experiences that celebrate culture and compel people to visit a destination. Across Port Stephens, this has primarily been driven by the stunning natural environment however, as consumers expectations increase, the value of events, festivals, heritage and indigenous experiences is also increasing.

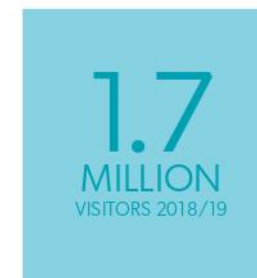
Events are an important element of the Port Stephens visitor economy. They reduce the impacts of seasonal visitation, support business and drive visitor spend. Events also provide an opportunity to promote Port Stephens to a broader national and international audience.

During the 2018/19 year, Council invested in 123 events across Port Stephens which generated an estimated economic impact of more than \$10 million. These events help ease seasonal fluctuations, support business and drive increased visitation by promoting Port Stephens to new markets.

Public art and quality urban design are also driving economic growth by creating landmarks and an aesthetically pleasing urban environment that attracts both permanent residents and visitors.

It also assists urban regeneration and contributes to the branding of our towns and villages to create a stronger sense of place and build civic pride.

Council, together with business and the community, sees the ongoing development and investment in events, the arts and culture as a vital to, not only long term sustainable economic benefits, but also to the wellbeing of the people and the liveability of the place.



## LIVEABILITY AND WELLBEING

Culture is fundamental to the liveability and identity of place. It connects the community and supports the health, wellbeing and the Port Stephens' quality of life for those who live, work and visit this place.

Cultural activities should contribute to a place, encourage connectivity between people within the community, activate participation on a grass roots level and provide infrastructure that promotes and encourages these activities in its design, maintenance and management.

The value of culture to communities has been particularly evident through the recent COVID-19 Pandemic. The loss of human connection; of getting together as a community, visiting new places, sharing experiences, enjoying communal spaces and celebrating achievements has had a profound effect on the health and wellbeing of all communities.

There is no doubt that culture contributes directly to 'liveability', in particular through vibrant and diverse activities such as cultural events and celebrations.

These activities have a unique ability to bring people together to share an interest or experience, broaden perspectives, provide inspiration and to educate, invigorate, integrate, communicate, celebrate and entertain. The arts, and public artworks in particular, also contribute to well-designed public spaces, creating attractive places, new experiences and drawing people together to form new connections.

The wellbeing aspects of these cultural experiences is of course felt uniquely, by each individual. It is a fact that Sporting events, music events, markets and community festivals bring our communities to life. They can be used to drive social change and increase social and civic pride. Events, the arts and culture have the ability to revitalise places that are subject to neglect or vandalism, allow people to feel connected to a larger community and most importantly bring vibrancy to our communities.





# COUNCIL'S ROLE IN EVENTS, THE ARTS AND CULTURE



## GRANTS AND SPONSORSHIP



DELIVER



COORDINATE



ADVOCATE

A new Community Grants and Sponsorship Program provides opportunity for business and the community to work together to deliver short and long term programs which promote creativity, enterprise and innovation. The program supports both short term, low cost initiatives along with more strategic projects aimed at building capacity across the community.

Event sponsorship programs improve the vibrancy of the place whilst also delivering economic outcomes by minimising the impacts of seasonal visitation and supporting the development of year-round visitor economy.

Council will continue to adapt funding programs, to support the delivery of strategic creative projects within the action plan aligned to this Strategy. This support from grants, paid parking and strategic partnerships will bring this Strategy to life and enable us to work together to deliver on the cultural aspirations of the community.



## PUBLIC ART



DELIVER



COORDINATE

Well executed public art in our streets, buildings and public spaces has the potential to transform our places, create new experiences and celebrate our community identity.

Public art should not be a passive backdrop, but something we engage with and participate in. It should support innovation and industry... create new experiences, bring our places to life, celebrate our identity and connect us.

Our role is to integrate art into major infrastructure projects, support artists and new programs and promote high quality art in new developments. This art could take the form of freestanding sculpture, environmental art, architectural design elements, lighting installations, decorative paving, artist-designed privacy screens or landscaping elements.

This strategy, together with Council's Public Art Policy and Guidelines, will support high quality, place relevant and engaging public art across the LGA.



## INFRASTRUCTURE INVESTMENT



DELIVER



ADVOCATE

Council invests, and is responsible for, the design, delivery and management of community infrastructure in the public domain. Quality public infrastructure and public spaces that strive for design excellence is embedded with culture. This relationship enables participation in the events, the arts and culture and effects how the spaces function and attract people. Projects such as town centre revitalisations, new sporting facilities and park upgrades will need to consider how the space can be used for events, how public art can be integrated, how it creates spaces for people gatherings and how the new infrastructure can support the cultural stories of Port Stephens.

Through events, Council can facilitate investment in legacy infrastructure and services which add to the wellbeing and liveability of the place.





## CULTURAL DEVELOPMENT



DELIVER



COORDINATE

Cultural development sits as one of five Council policy domains alongside society, environment, economy and governance that work together to support our community's wellbeing. Within this context, cultural development is all about enabling cultural activities, like the arts, to realise community goals of wellbeing and liveability.

This work is diverse and cultural development is delivered in many different formats. For Council it is the way we manage cultural sites and facilities, how we integrate culture into our strategic planning, how we fund collaborative projects, celebrate and tell our cultural stories and how we encourage, attract and support events which build participation across the community.



## PLACE MAKING AND ACTIVATION



DELIVER



COORDINATE

Creating vibrancy in our town centres and public spaces requires a collaborative approach. It requires ownership from Council, business and the community to create places that are resilient, welcoming and inclusive. Place activation is not about big budgets and big infrastructure. It is about creating unique and innovative experiences and testing new ideas which are connected to our local identity both through the built form of the place and the programming of the space.

Through a place-based approach, Council will continue to build on the local identity of our towns and villages. Investment in quality social infrastructure and open space will provide the foundation for positive social, economic, cultural and environmental outcomes.



## EVENT MANAGEMENT



DELIVER



COORDINATE

Council's current role is in supporting and cultivating events – not organising and delivering events. Council provides strategic support to community based events to help ensure success and grow the sustainability of events. This is also supported through event marketing and communications.

Civic events such as Australia Day and NAIDOC Day are supported through a committee of Council with funding allocated to manage the operational elements of the event.

Council also invests in supporting an integrated event approval process (or a one stop shop) for event assessments across the LGA. This simplified application process is designed to encourage events across Port Stephens by providing a transparent, efficient, more streamlined process which considers the impacts of an event on our community, business and the environment. This process is recognised as important element in event attraction.

## ITEM 10 - ATTACHMENT 1 PORT STEPHENS OUR INCREDIBLE PLACE STRATEGY.

## THE CONSULTATION PROCESS

### WE LISTENED TO OUR COMMUNITY

In 2019 Council undertook a formal consultation process with the community and business to ascertain the needs, opportunities and challenges relating to events, the arts and culture in Port Stephens.

The process included input from Council's own Strategic Arts, Aboriginal and Heritage Advisory Committee, the Tomaree Business Chamber, Destination Port Stephens members and engaged members of the community.

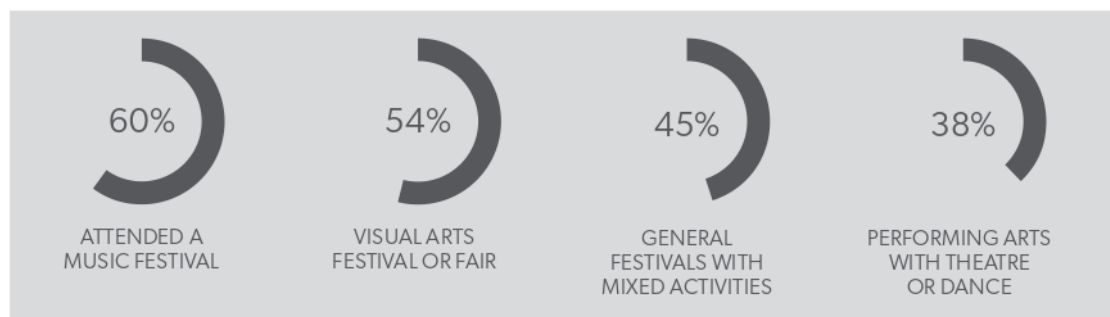
Over a period of nine months we conducted a Culture Port Stephens Forum, a Strategic Arts Committee Workshop, an online survey and six focus groups on PopUp Events. The results of this consultation process created the foundation to build our strategy.

14

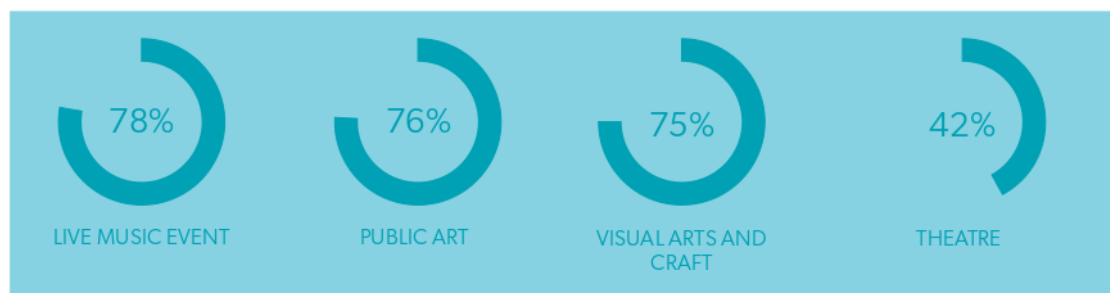
### WHO WE HEARD FROM



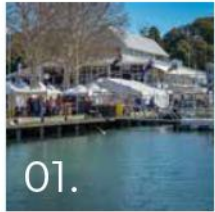
### WHAT DID WE ATTEND



### HOW WE GOT CREATIVE AS A CREATOR, PERFORMER OR PARTICIPANT



### TOP 5 EVENT LOCATIONS



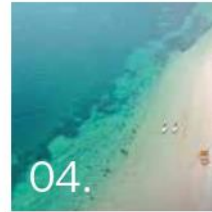
01. Nelson Bay Foreshore



02. Fly Point Park



03. Raymond Terrace River



04. Beaches and Parks



05. Boomerang Park

### WHERE WE SEE VALUE



said the arts and events has a big impact on bringing customers to local business



said the arts and events has big impact on shaping and expressing identity



the arts contributes to wellbeing and happiness



said they were interested in Aboriginal or Torres Strait Islander arts



said they were interested in attending events



agreed council should invest in attracting and developing events





## WE IDENTIFIED KEY THEMES

Through the consultation process we began to understand some important themes and priorities from our community. These are outlined here.

This feedback is invaluable and will continue to play an important role with more consultation planned as we begin to deliver the Strategy. This ongoing communication ensures Council is delivering the appropriate services where it is needed and desired.

This community engagement in the pre-planning stages also provides ownership of events and higher levels of support from within the community.

**OUR NATURAL ASSETS** – Respondents told us our environment was essential to culture and what the majority of people valued most about this place. They expressed a desire to hold environment-focused events and be able to share the stories of places to others who visit the area. It was rated as the highest valued cultural asset.

**PASSION** – Port Stephenians are passionate about their people and their place and are ready and willing to be part of the betterment of their community. Many indicated they were either; already volunteering their time; or were eager to be involved. Respondents indicated a strong desire to support local events and business and expressed an interest in volunteering to assist in the development of events, the arts and cultural activities in their community.

**ABORIGINAL CULTURE** – Many respondents had a pride and passion for the local Aboriginal culture and agreed that there was opportunity to integrate more aboriginal experiences within local events and cultural activities. This was seen as a pathway to broaden the wider community's understanding of the past, the now and the future.

**COMMUNITY BASED EVENTS** – Respondents revealed an interest in family-focussed activities in their local communities, in particular celebrating local talent. They also recognised a need for more youth oriented activity. Some suggested partnering business with community groups to hold events in their local community.

**HERITAGE** – A clear level of pride in heritage was evident in responses, however it was felt the heritage aspects can get overwhelmed by the built environment

focus. It was suggested that events and interpretative trails be utilised to ensure these heritage stories are kept alive and shared through the generations.

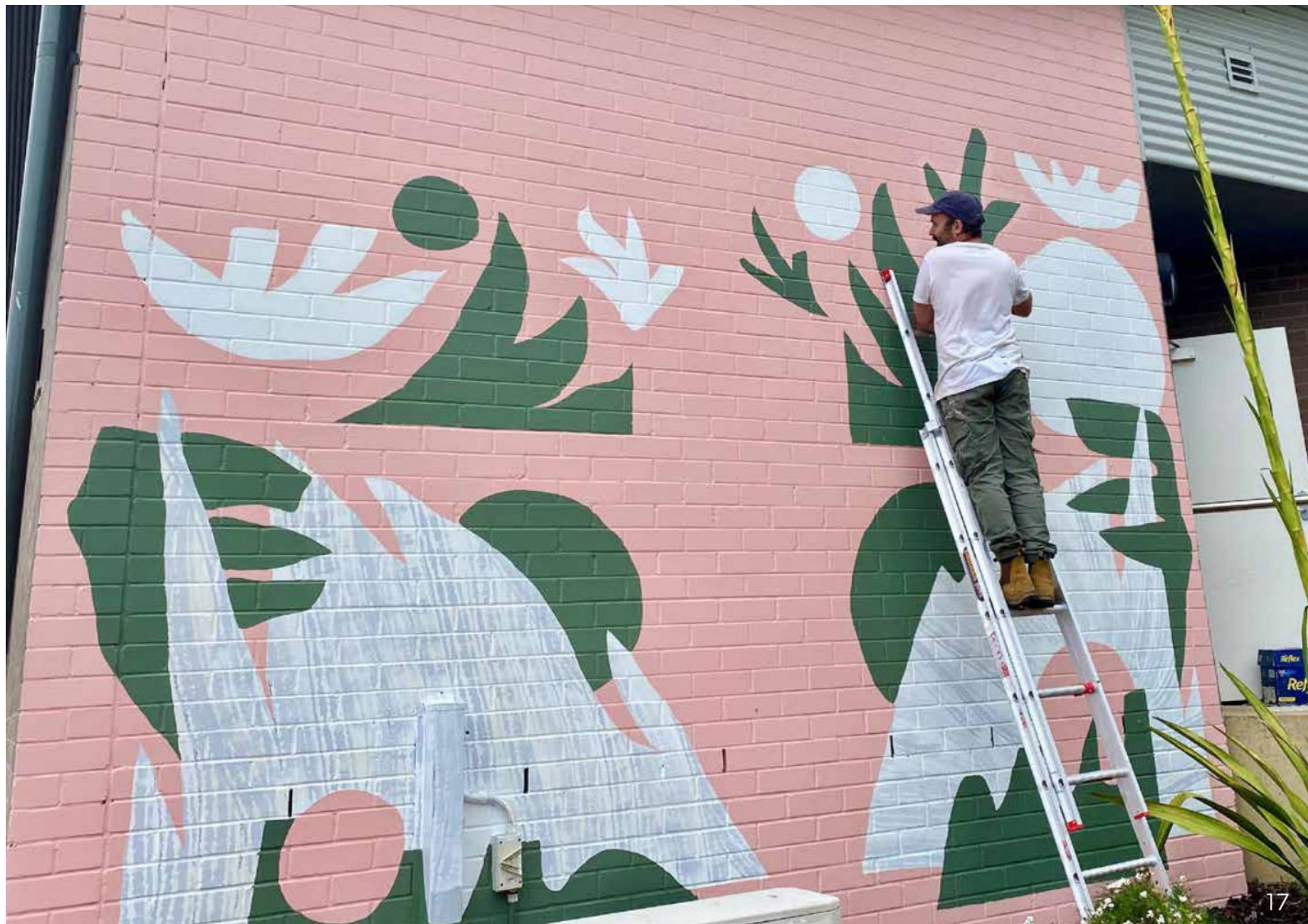
**ACCESS TO APPROPRIATE SPACES** – Respondents expressed a view that it is difficult to find appropriate places to practice and create. Limited gallery space for exhibiting work was also identified as a gap.

Whilst this is a recurring theme, Council is also responsible for looking at the broader context and understanding how we can enhance regional capabilities by thinking outside of the box with concepts such as repurposing, or multi-purposing spaces, outdoor exhibitions and pop up gallery spaces, for example.

**PERFORMANCE AND EVENT VENUES** – Fly Point was identified as an underutilised event venue, as well as other potential open space that could be improved to make more "event friendly". Transport and parking were seen as a barrier to attend events that currently take place... mostly at Nelson Bay.

**COUNCIL PROCESSES** – Feedback indicated that more clarity of process was needed as well as educating the community to make it easier and ensure clarity of our process. Making it easy to do business and be an enabler of activity.

**BROADER IMPACT OF CULTURE** – A common theme from feedback was the need to address some of the social challenges in all sections of the community – from loneliness in the elderly to the disengagement of youth – and create an environment to improve the overall wellbeing.







## COVID-19 PANDEMIC

Impacts on local and global communities from the COVID-19 pandemic have been immediate. From the economic hardship on business and employees (particularly those working in our creative, event and tourism industries) to the social impacts like isolation, mental health issues and education.

The long term issues are much harder to predict. As we move through the recovery process, we will begin to understand the fundamental changes to how our society functions. We will need to adjust to the practical issues like social distancing and hygiene whilst also be ready for the less visible issues like fear and anxiety.

As restrictions ease, people will be wanting and needing to reconnect. They will want to renew their social networks, return to work, provide opportunities for children to build their peer groups and find ways to bring back a sense of normality to everyday life. At the same time, they will want to feel safe and secure. They'll need assurance that they will be ok and that Council is moving forward in a safe and informed way.

By working in partnership with government, business and residents, Council's role, on a local level, is to lead the recovery across the Port Stephens community.

## COMMUNITY AND CULTURAL EVENTS

Port Stephens is home to an active community and volunteer base who invest their time and energy into everything from gardens and foreshores, to our libraries and visitor centres. Volunteers also run events. These events are generally designed with localised community

focus, to create connections, raise funding for a particular cause or provide a platform for local artisans and musicians to perform. These can range from small half day events to large, multi-day festivals.

The value of community events is far reaching. We know these events are a big contributor to the culture of our community and during the consultation process, were identified as a key area for support from Council.

Despite limited funding, we know that often it's the logistics, capacity building and promotional support that are the real drivers in creating successful community events.

There is an opportunity now to create a new model for community events. One that not only provides multi-year financial support, but most importantly strategic support from technical specialists. This may include event marketing strategies, public relations and communications, succession planning, grant application assistance, attracting private sponsorship from business aligned with the event, audience and governance.

There is also significant opportunity to communicate the incredible indigenous history of Port Stephens through events and there is a growing demand from residents and visitors to connect with the Worimi people and learn more of their history and stories.

This may include the development of smaller events around existing events for example, an indigenous art event during NAIDOC Celebrations.

Ideally Council will act as a conduit to connect community events with like-minded, or complementary businesses. These three way partnerships can combine the passion of the volunteers, the skill sets and financial injection from business and the support, coordination, guidance and approvals streamlining of Council.



## ITEM 10 - ATTACHMENT 1 PORT STEPHENS OUR INCREDIBLE PLACE STRATEGY.

## CREATIVE PLACES &amp; GALLERIES

Throughout the consultation process we regularly heard of the shortage of dedicated performance and gallery spaces in Port Stephens. At this time the financial cost associated (management, resourcing and exhibition) with the establishment of major arts and cultural assets is not realistic in the time frame of this Plan.

Council would require external funding to deliver a major arts facility. Despite strong advocacy, infrastructure funding in this space is limited and highly competitive - particularly as criteria for funding relates to population based needs of a Local Government Area. Our geographical spread also means that some may be disadvantaged by a fixed performance space with long travel times across Port Stephens.

Local people across sectors of the community and all creative industries are crying out for creative spaces to practice their art forms. This includes music practice, visual art rooms and rehearsal rooms.

An opportunity presents to think outside of the box and identify performance and exhibition spaces that are not bound by bricks and mortar – our streets can become our platforms for expression. Creating and repurposing spaces could provide unique experiences across Port Stephens for new audiences to interact with arts and culture without the barriers that exist in accessing museums and galleries.

We also have existing places that could better cater to large scale events, including Fly Point, Riverside Park, Boomerang Park, Tomaree Sports Centre and can be the focus of investment and upgrades for improved and diversified service needs.

The nearly completed Murrook Cultural Centre will be a significant cultural asset to the Port Stephens community. The space is expected to host a permanent exhibition showcasing Aboriginal artefacts as well as a temporary

revolving exhibition area that can be used for artists of all kinds, and small cultural performances or installations. The promotion and use of Murrook is pivotal throughout the community for the place to be welcoming and inclusive to everybody.

Some of the best maker and work spaces have been born through creative thinking. In Port Stephens opportunities present through subsidised spaces, adaptation of council buildings and the identification of suitable Precincts - like underutilised industrial areas.

Council can work with business and owners of spaces to identify opportunities for repurposing on a temporary and longer term basis. Spaces could include; school halls, community facilities, light houses, shops, industrial sheds and much more. Advocating for more permanent spaces can be strengthened by strong artist networks and a clear understanding of the industry needs.

## BUSINESS EVENTS

Conference, meetings, exhibitions and incentive travel can all be grouped together at Business Events. This market is high yield and has excellent potential for strong economic returns however is also a very competitive market segments with increasingly high standards and expectations for services and facilities.

Business events present a strong opportunity for Port Stephens, often supporting low and shoulder season visitation, employment in seasonal industries and driving repeat leisure travel to the destination. Port Stephens needs to develop a strong value proposition that is about more than the physical location. By partnering with industry, Port Stephens can promote the destination for small to medium conferences linking quality venues with 4 star plus accommodation, unique team building experiences and opportunities.





## ITEM 10 - ATTACHMENT 1 PORT STEPHENS OUR INCREDIBLE PLACE STRATEGY.



20

Furthermore, by partnering with Destination Port Stephens, increased business to business sales and marketing activities will promote Port Stephens to a targeted audience, generating leads for business events across the LGA. Council can support this with additional assistance through enquiry management, bid development and as the market grows, advocating for improved infrastructure investment which will be critical. Quality accommodation, purpose built event spaces and appropriately trained staff will see the long term, successful growth of this market.

### APPROVALS AND LICENSING

Licensing and approvals at Port Stephens Council are managed through an integrated process or "one stop shop" approach. Event organisers liaise with one key point of contact who coordinates the relevant approvals on behalf of the event organiser.

This has been a unique advantage in attracting events to Port Stephens for several years. It's simple, timely and takes pressure off event organisers. As competition amongst destinations for events continues to grow, so to do the demands on the event licensing processes. Event organisers are often seeking increased support for risk management, traffic management, health and safety and sustainability. They also need assistance to connect with local business and manage media and communications. With higher investment, and expected return to Council, so too the organiser's expectations are increased.

This has resulted in amplified demands on the event licensing and approval process which has at times, created a less than ideal experience for event organisers. Approval times have been compromised and the onus has been pushed back to event organisers who are not always equipped to manage the relevant requirements and creates a deterrent to organisers.

Council has an opportunity to refine this process, automate systems and reduce internal administration requirements to allow a greater focus on support and service for event organisers. Tools such as an online referral process, refinements to the LEP and pre-approved event locations will all help build the service culture, improve the quality and timeliness of the approval process and ultimately, attract more events to Port Stephens.

### SPORTING EVENTS

Port Stephens is highly regarded as a destination for sporting events. Facilities such as Tomaree Sports Complex, King Park Sporting Complex and Lakeside Sports Grounds along with world class beaches, bays and National Parks attract a large number of high quality state, national and international events each year including Sail Port Stephens, the Port Stephens Pro, Nations of Origin and the Peter Wilson Memorial Touch Football Carnival.

Now, opportunities exist to attract more high profile sporting events through investment in relevant infrastructure. Funding has been approved for the improvement of infrastructure at Tomaree Sports Complex and is expected to be completed by 2021. This investment will ensure the facility meets State sporting organisation facilities standards allowing a more proactive approach to attracting large, high profile sporting events to Port Stephens.

Along with high profile sporting events, Port Stephens hosts a number of junior State and Regional events. These smaller events often require minimal financial support, attract family groups for multiple nights and regularly deliver strong economic returns. A more focused approach to attracting these events provides an immediate opportunity.









### STRATEGIC OBJECTIVE ONE: VIBRANT SPACES

**Council will partner with business and the community to create place-based events, the arts and culture that enhance the liveability and wellbeing of those that live, work and visit Port Stephens.**

#### Key Priorities:

- 1.1 Develop a Project Team and action plan to deliver short term, place activation initiatives
- 1.2 Use public space to showcase innovative, temporary and permanent art which promotes our local identity
- 1.3 Source funding for the implementation of place making initiatives
- 1.4 Invest in measuring the wellbeing and liveability of our community.



### STRATEGIC OBJECTIVE TWO: ECONOMIC GROWTH

**We will invest in the development and attraction of events, the arts and culture initiatives to drive economic outcomes**

#### Key Priorities:

- 2.1 Attract and support events that increase overnight visitor spend and encourage visitation
- 2.2 Support the development of the arts and cultural experiences that drive increased visitation and visitor spend
- 2.3 Invest in infrastructure that supports the growth and sustainability of events, the arts and culture
- 2.4 Grow business events in Port Stephens.

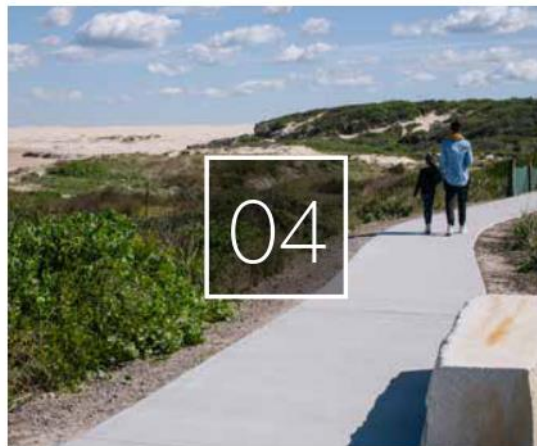


### STRATEGIC OBJECTIVE THREE: CONNECTED COMMUNITIES

**We will invest in initiatives that provide opportunities to foster diversity, promote inclusivity and encourage participation in culture and events across Port Stephens.**

Key Priorities:

- 3.1 Increase the diversity and reach of events, the arts and cultural programs
- 3.2 Support and promote accessibility for all events, the arts and cultural experiences
- 3.3 Develop volunteer capacity to work in partnership to deliver events and cultural activities
- 3.4 Maximise the use of our public spaces for events that bring the community together.



### STRATEGIC OBJECTIVE FOUR: CAPACITY AND CAPABILITY

**We will grow the capacity and capability of our community through education, training and skills to support and stimulate events, the arts and culture.**

Key Priorities:

- 4.1 Identify and support opportunities to upskill and educate the arts, culture and events sectors
- 4.2 Build strong networks across the sectors which create collaboration and education opportunities for the arts, culture and events
- 4.3 Enable the growth of local events
- 4.4 Streamline processes and simplify communications.
- 4.5 Investigate approaches for new creative industry, start-ups & arts practice working and performance spaces.

## OUR MEASURES OF SUCCESS

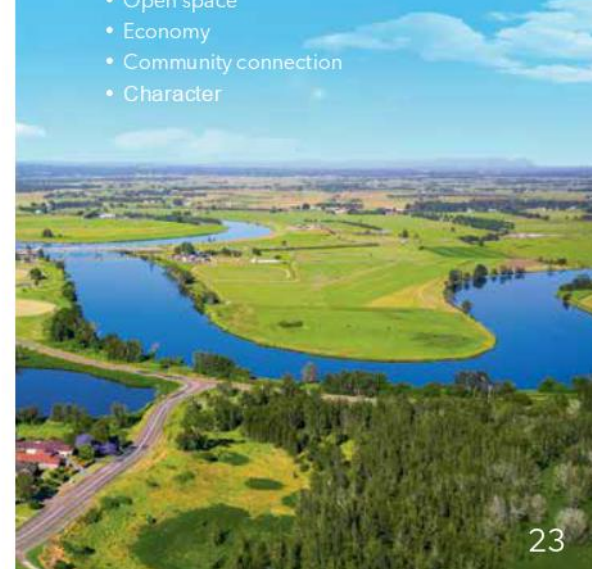


The Port Stephens Liveability Index will provide the metrics to determine the success of this strategy. It measures what our community values and how they rate their town.

The PX Score will provide a measure of our communities lived experience in our place.

Alongside this score will be measures across key place themes:

- Open space
- Economy
- Community connection
- Character





ITEM 10 - ATTACHMENT 1 PORT STEPHENS OUR INCREDIBLE PLACE STRATEGY.



PORT STEPHENS  
COUNCIL

phone: 02 4988 0255  
[portstephens.nsw.gov.au](http://portstephens.nsw.gov.au)

**ITEM NO. 11**

**FILE NO: 20/316139  
EDRMS NO: PSC2020-00109-074**

**DISPOSAL OF SURPLUS EXCAVATED MATERIALS AT NEWCASTLE AIRPORT DEVELOPMENT PROJECT SITE.**

REPORT OF: PHILIP MILES - CAPITAL WORKS SECTION MANAGER  
GROUP: FACILITIES & SERVICES

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Pursuant to Section 55(3)(i) of the Local Government Act 1993, endorse the General Manager to negotiate and sign agreements with Newcastle Airport, as the single preferred party for receipt of Council's surplus excavated materials due to the significant risks involved in the disposal of surplus material beyond project reuse or disposal at an approved waste facility.

---

**BACKGROUND**

The purpose of this report is to seek Council's endorsement to enter into a single preferred party contract with Newcastle Airport to dispose of surplus excavated materials.

Council, as part of its ongoing capital works and maintenance programs, generates surplus excavated material. This material is broadly classified into 2 types:

- Virgin Excavated Natural Material (VENM) and Excavated Natural Material (ENM) – these are naturally occurring materials with the key difference being VENM is sourced directly from its in-situ buried state, while ENM has been stockpiled for a period of time before being reused or repurposed. This includes naturally occurring sand, clay or gravels.
- Excavated Public Road Materials (EPRM) – these are specifically quarried or 'processed' materials used in construction, and includes crushed rock, manufactured gravel road base, and bituminous products such as chip seal and asphalt. It excludes any waste that contains coal tar or asbestos, or any waste that is classified as hazardous, restricted solid, special or liquid waste as defined in the Protection of the Environment Operations Act 1997.

These materials have traditionally been reused and repurposed by Council within the road reserve or on the project site where it has been generated. Over time, the ability and options for reuse and repurpose have reduced and there is often a surplus. Projects are designed to minimise waste and maximise reuse, however some materials found on site are not suitable for reuse within the project and as such become excess.

The alternative to reuse and repurpose is to treat the material as waste and dispose of it at an approved facility, which is both wasteful and unsustainable in the longer term.

Newcastle Airport requires large quantities of specified fill material as part of its approved Astro Aerolab development. This requirement matches the quantity and classification of surplus excavated materials generated by Council.

It should be noted that Newcastle Airport is jointly owned by the Port Stephens and Newcastle Council.

## **COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Infrastructure and Facilities	Build Council's civil and community infrastructure to support the community.

## **FINANCIAL/RESOURCE IMPLICATIONS**

The recommendations will deliver project cost savings for those capital works and maintenance activities that generate surplus excavated material.

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		Each council project is responsible for the management of surplus material generated and the cost for this is included in the project estimate. This report proposes a more cost effective and sustainable solution, which has the potential to realise a project saving. Additionally, the contract would establish a cost sharing arrangement with Newcastle Airport.
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

Advice received acknowledges that there are significant risks involved in the disposal of surplus material beyond project reuse or disposal at an approved waste management facility. The supplier needs to ensure that the material is appropriately tested, classified and accounted for, and that it does not become contaminated prior to or during the delivery process. The recipient needs to have all relevant approvals in place to receive each classification of material and ensure that appropriate material handling practices and processes are established to ensure that the material is delivered and repurposed in accordance with those approvals.

Given the commercial, legal, environmental and reputational risks associated with the extended timeframe, quantities and material classifications involved (specifically the EPRM), it is considered that “extenuating circumstances” exist in accordance with S55(3)(i) Local Government Act 1993 to engage with a single preferred party rather than procure more broadly through an open tender process with multiple participants for smaller quantities of varying material classifications.

Newcastle Airport as the recommended preferred party recipient of council’s surplus material has or is in the process of obtaining to the satisfaction of Council the relevant approvals for VENM, ENM and EPRM, requires quantities in excess of what Council can deliver, and has a tenure measured in years, offering an ongoing sustainable solution. Engaging with a single preferred party also ensures that the rigorous processes and practices required to manage this activity will be established, remain consistent and be readily and regularly reviewed to ensure ongoing compliance and mitigate potential risks.

<b>Risk</b>	<b><a href="#">Risk Ranking</a></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that an open tender process could result in multiple sites being used for surplus fill disposal, some of which may not have adequate consent/approvals/material handling practices to receive these material classifications, leading to a potential environmental breach/issue.	Medium	Enter into a contract with a single preferred party in accordance with S55(3)(i) Local Government Act 1993.	Yes

There is a risk that an environmental breach/issue may result in an EPA fine.	Low	Establish a documented process with the preferred party to manage delivery, receipt and placement of supplied material.	Yes
There is a risk that an environmental breach/issue may result in a fine and / or legal action against Council and the preferred recipient	Low	Establish a documented process review and monitoring regime with the preferred party.	Yes

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

Capital works and maintenance projects, predominantly those relating to road and drainage works, often generate surplus material. The management of material starts with a design that minimises its generation and where possible, aims to reuse as much as possible on site as part of landscaping for example. In some cases, the natural in-situ material is of a nature that is not able to be reused, or the site too constrained to allow its reuse. As a result, the excess excavated material becomes surplus and needs to be alternatively disposed.

Reusing surplus excavated material on a site that has approval to accept such material is both environmentally sustainable and presents a cost saving to both parties. Engaging in a single supplier / recipient arrangement enables consistency and compliance of both the product and the delivery process, improving the environmental sustainability of both parties as well as delivering financial savings across the board.

The main alternative to reuse and repurpose is to treat the material as waste and dispose of it at an approved landfill facility, which presents both a burden to our existing limited landfill space and is also a considerably more expensive exercise. The potential recipient would then be required to source the material from other suppliers, often transported over considerable length and at additional expense if imported from a quarry.

**CONSULTATION**

Consultation with key stakeholders has been undertaken by the Capital Works Section.

Internal

The recommendation has been prepared in consultation with Council's Finance and Governance Sections, specifically in relation to establishing that "extenuating



circumstances” exist in accordance with S55(3)(i) Local Government Act 1993 allowing Council to engage with a single preferred party.

#### External

Without prejudice, discussions have been undertaken with the Newcastle Airport to establish the required quantity, material classification types and project tenure that their development consent allows. External legal advice has also been obtained.

#### **OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

#### **ATTACHMENTS**

Nil.

#### **COUNCILLORS ROOM**

Nil.

#### **TABLED DOCUMENTS**

Nil.

**ITEM NO. 12****FILE NO: 20/312587  
EDRMS NO: PSC2019-04770-002****KING PARK SPORTS COMPLEX MASTERPLAN****REPORT OF: JOHN MARETICH - ASSET SECTION MANAGER  
GROUP: FACILITIES & SERVICES**

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Receive and note the submissions received at **(ATTACHMENT 1)**.
  - 2) Adopt the King Park Sports Complex Masterplan **(ATTACHMENT 2)**.
- 

**BACKGROUND**

The purpose of this report is to provide Council with the submissions received following the public exhibition of the Draft King Park Sports Complex Masterplan.

The public exhibition period was from 28 August 2020 to 24 September 2020 with 7 submissions received. Changes were made to the draft Masterplan in response to the feedback received, including:

- Reinstate existing cricket nets adjacent to Field 5 building (map reference 'E').
- Include provision for drainage upgrades on fields 1, 2 and 5 (map references '1', '2' and '6').
- Upgrade field 1 lighting (map reference '1') to achieve 500lux illumination in the centre and 300lux in the outfield.
- Include provision for media box, drainage and irrigation upgrades on field 3 (map reference '3').
- Remove proposed upgrades to the Fitzgerald Bridge slip lanes.

A summary of submissions received is included in **ATTACHMENT 1**.

**COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Infrastructure and Facilities	Plan civil and community infrastructure to support the community.

**FINANCIAL/RESOURCE IMPLICATIONS**

Council staff engaged GHD Woodhead to undertake the project in 2019. West Ward Sports Council provided funding for the consultant fees. Council's investment in the

project has been and will continue to be the management of the development of the masterplan and advocacy to funding bodies for grant funding.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		There are no financial implications in adopting the recommendations of this report.
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

The masterplan has a preliminary estimated implementation value of \$40 million.

## **LEGAL, POLICY AND RISK IMPLICATIONS**

Potential risks to Council have been identified within the below table with appropriate treatments noted. It should be noted that the masterplan considered the presence of a retired landfill at this location and the area is deemed a high hazard flood zone due to the proximity to the river.

Risk	<a href="#">Risk Ranking</a>	Proposed Treatments	Within Existing Resources?
There is a risk that the scope of the master plan is beyond Council's ability to fund, leading to the community's immediate expectations not being met.	Low	The masterplan has been developed as a long term strategic vision for the site. Its development will serve to guide future decision making and support advocacy for grants through funding bodies. The itemisation of projects through the implementation plan ensures the ability to continue to improve the site annually at a lesser scale should transformation funding from external sources not be received.	Yes

## **SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

The project will have positive social implications for the Port Stephens community by providing a consolidated, strategic vision for the development of the King Park Sports Complex. The improvement and increased capacity of sporting and events infrastructure will cater for the growing needs of the local government area.

The masterplan also considered and complements existing sporting facilities within Raymond Terrace.

The realisation of the masterplan will increase the capacity of the complex to attract regional sporting events, which provides flow on economic benefits to local business.

A number of environmental outcomes were considered in the development of the masterplan. A key factor was the appreciation and protection (as far as practicable) of the natural riverside setting that makes the King Park Sports Complex unique. To reduce our environmental footprint, the masterplan incorporates water sensitive urban design to improve water quality, limited electrical consumption through the use of LED field lighting systems and multifunctional surfaces to limit the requirement for field expansion.

## **CONSULTATION**

Consultation with key stakeholders has been undertaken by Council's Community and Recreation Assets Unit. The objective of the consultation was to ensure a collaborative and inclusive approach to the development of the masterplan.

The key stakeholders include the West Ward Sports Council, Council operational and events staff and State Sporting Organisations.

To inform the masterplan a preliminary mapping tool was made available online to receive suggestions from the broader community. A total of 38 suggestions were received.

In accordance with local government legislation, the draft King Park Sports Complex Masterplan was placed on public exhibition from 28 August to 24 September 2020. A total of 7 submissions were received.

## **OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

## **ATTACHMENTS**

- 1) [Summary of submissions.](#)

<b>ORDINARY COUNCIL - 24 NOVEMBER 2020</b>
--

2) King Park Sports Complex Masterplan - October 2020. [↓](#)

**COUNCILLORS ROOM**

1) Full copy of submissions.

**TABLED DOCUMENTS**

Nil.



## ITEM 12 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS

## Submission Summary

## King Park Masterplan Public Exhibition

No.	Author of submission	Comment	Council response
1	Northern NSW Football	Do the proposed upgrades to main amenities building include additional change rooms?	The main amenities (map reference D) contains four change rooms to service a maximum of six senior football fields. This is considered adequate given its unlikely all fields will be utilised simultaneously. The demand for change facilities would also be eased if competition administrators program fixtures to allow teams to interchange throughout the day. Should additional change facilities be required, two additional change rooms are provided in Building E and temporary demountable options are also available for large events.
		Is there provision for male and female officials in main amenities building?	One officials change room is currently provided containing a toilet and shower within private cubicles and a common change area. Council recognises this is not ideal for multi gender use. An allowance has been made in the cost report for building improvements to incorporate universal design principles into the building design to ensure facilities are suitable for all genders.

## ITEM 12 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS

		Support tiered seating. Items missing for top level football would be a media box, match filming and commentary location and under cover seating.	Tiered seating will be covered and include a media box. The Masterplan has been updated to reflect this.
		Consideration should be given to renovating playing surfaces to improve durability.	Works of this nature are not typically captured in a Masterplan. Field maintenance and renovations will continue to be undertaken in accordance with maintenance programs.
		Consideration should be given to synthetic playing surfaces supported by a whole of life funding strategy.	The inclusion of synthetic fields were considered in the preliminary phases of the Masterplan. It was deemed unfeasible however due to the initial high capital cost, subsequent high replacement cost within a relatively short timeframe (estimated 10 – 12 years) and the risk of damage from flooding.
		Please confirm if fields will have upgraded irrigation and drainage.	<p>Water supply constrains the capacity of the irrigation system at King Park. The irrigation system is supplied by reticulated town water and Council are working to identify how to improve the pond water in Ross Walbridge to use for irrigation and reduce the demand on town water.</p> <p>To improve the effectiveness of the existing irrigation system Council is working with Hunter Water to identify efficiencies to reduce the demand on water.</p> <p>The Masterplan has been updated to note upgrades to drainage for fields 1,2 and 5 (map reference 1, 2 and 6). An allowance has also been made for irrigation and drainage in the proposed premier football field upgrade (map reference 3).</p>

## ITEM 12 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS

2	Resident	King Park should be maintained for sporting events with community events held at Boomerang Park.	The Masterplan identifies an opportunity to convert Vi Barnett athletics field into a combined outdoor event space and sporting field. The opportunities this site presents that are unique to Raymond Terrace include a flat open area with capacity for 10,000 people, connectivity to the river for potential 'riverside events', visual exposure to regional roads (Seaham Road) and spatial separation from residential areas. Poor drainage is a notable constraint at the site that would need to be addressed. Boomerang Park will continue to be a potential event location.
		A playground should not be constructed adjacent to Fitzgerald Bridge as it is a high risk flood area.	A playground was identified in the 'opportunities' map however due to flood risk this was not included in the masterplan.
		Consideration should be given to providing extra car parking spaces along the eastern edge of the foreshore reserve north of Fitzgerald Bridge to act as overflow during major events.	The upgrade of Newline Road, Seaham Road, Port Stephens Drive Intersection to traffic lights will make it difficult to exit the boat ramp area in a north westerly direction. Additional parking is proposed adjacent to Newline Road to improve connectivity with surrounding road network when leaving the complex.
		A pump out system should be considered to improve drainage south of Seaham Road. Filling the site will only move the issue elsewhere.	Poor drainage is a known constraint south of Seaham Road. Proposed management strategies include reducing demand by retaining this area for lower level sporting use and community events and implementing drainage improvements by way of subsurface drainage and minor earthworks redirecting surface flows. A flood pump is located adjacent to the river in Kangaroo street which is activated during flooding events.
		Irrawang Swamp (wetland) presents an opportunity as	Dewatering the wetland for irrigation would require

## ITEM 12 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS

		an alternative water source to Ross Walbridge ponds.	extensive environmental reporting and approvals as it is identified as a Coastal Wetland and protected by the provisions of State Environmental Planning Policy (Coastal Management) 2018. For this reason it is considered unfeasible to use water from the wetland.
3	Resident	The Masterplan appears to be focussed on soccer and does not give adequate consideration to the needs of cricket.	Equal consideration was given to all sporting codes located at the complex. The masterplan's recommendations were informed by consultation with both cricket clubs and the state sporting organisation Cricket NSW. In addition to retaining four turf wickets, a number of upgrades are proposed including competition lighting, additional synthetic wickets, a dedicated junior cricket oval and improvements to both amenity buildings (map reference D and E).
		The amenities building servicing field 5 is inadequate for the needs of the cricket club and requires upgrading – a club room is required, larger change rooms and partitioned showers. Consideration should be given to Cricket Australia's guidelines.	An allowance for building improvements have been included in the costings for the Masterplan. The scope of works is subject to further design, however it would focus on improving internal spaces to cater for female participants. The Masterplan has been updated to communicate this. Should a clubroom be established at King Park the main amenities (map reference D) would be the most appropriate location.
		The removal of the cricket training nets adjacent to building number 5 are not supported. These should be retained and upgraded to support the club and attract large events.	The removal of the cricket nets was done in error. The Masterplan has been updated to illustrate the retention of the nets.
4	Sport club	Class II and III Flood Lights for King Park 1 (Jack Collins Oval) and King Park 2 (Bill Bobbins Oval) respectively to enable the complex to host	As advised by Cricket NSW, Class II lighting would be required to facilitate cricket competition currently hosted at King Park and attract events such as the State

## ITEM 12 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS

		twilight and day-night fixtures from Local to National Level.	Female Championship. The masterplan has been updated to propose Class II lighting (500 lux infield and 300 lux outfield) on field 1. Given the significant investment and infrastructure upgrades required for such floodlighting, it is not considered feasible at this point to include Class III lighting on Bill Bobbins Oval (map reference 2).
		Training Nets to remain where they currently are - no need for a junior field (Sporting Facility 8 on Drawing 22-20017-SK120) if a synthetic wicket will also be placed at Location 4 or 7. This negates the need for training nets to be removed from Location 8 to the proposed location of 10. Training Nets adjacent Building E must remain, however upgrades required, while the two bowling machine nets adjacent Building D also require upgrades. Power to be supplied to nets adjacent Building D, E and on Sporting Field 8 to remove the need to run generators. Lighting to training facilities also desirable.	<p>A junior cricket oval is proposed to allow the continue programming of junior competition once Field 3 is upgraded to a dedicated football facility. The event space (map reference 4) will also contain a synthetic pitch, however due to also being a community event space it may not be available on occasions. The upgrade of the trotting track (map reference 7) is a long term vision and not likely to occur for several years or more. Given this, it is recommended a junior pitch is provided.</p> <p>Regarding the nets, feedback from the clubs indicated that having cricket nets adjacent to each other created issues when groups of differing skills were using the nets simultaneously. Relocating the nets to map reference 10 would help separate users.</p> <p>The opportunity to run power to cricket net areas may be considered as part of proposed floodlight upgrade.</p>
		King Park 4 (Location 5) received major drainage upgrades in recent years, and the three fenced cricket grounds (Location 1, 2 and 6) have not been upgraded to match. To be able to attract higher quality cricket,	Masterplan has been updated to include drainage improvements to playing surfaces of fields identified as map reference 1, 2 and 6.



## ITEM 12 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS

		and provide a better cricket experience to the local community including juniors, this would be crucial.	
		Upgrades to fences on King Park 2 and King Park 5 (location 2 & 6 respectively) to match the aesthetics of the fence around King Park 1. Upgrades are urgently required around King Park 2 as this fence has fallen into a state of disrepair.	Replacing of fences is programmed and funded in accordance with Council's asset management plan and not typically included in strategic documentation such as this masterplan. The style of fencing will be guided by the available budget.
		Additionally we want to stress that it would be detrimental to cricket in the region as well as the complexes ability to host regional or national tournaments if the facility lost an established turf wicket, or if there was a reduction of training nets at the complex (currently 6 Synthetic, 2 Bowling Machine Nets and 5 Turf Nets).	The masterplan proposes to retain all turf wickets. Training nets will also be retained, however the masterplan proposes to relocate the synthetic nets to map reference 10 to accommodate the junior cricket field.
5	Netball NSW	Supportive of the masterplan.	Noted.
6	Sport club	Do not support the removal of training cricket nets adjacent to amenities building at field 5.	The removal of the cricket nets was done in error. The Masterplan has been updated to illustrate the retention of the nets.
		The perimeter fencing around field number 2 and field number 5 is in poor condition and needs to be upgraded. Ideally to match the picket style fencing of field number 1.	Replacing of fences is programmed and funded in accordance with Council's asset management plan and not typically included in strategic documentation such as this masterplan. The style of fencing will be guided by the available budget.
		The amenities at field number 5 need to be upgraded to improve inclusiveness for female players and officials.	An allowance for building improvements have been included in the costings for the Masterplan. The scope of works is subject to further design, however it would focus on

## ITEM 12 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS

			improving internal spaces to cater for female participants.
7	Cricket NSW	The provision of Class II lighting at site location 'no 1' and Class III lighting at site location 'no 2' to future-proof crickets changing participant preferences as well as attract additional representative and state-based cricket content to the Complex.	As advised by Cricket NSW, Class II lighting would be required to facilitate cricket competition currently hosted at King Park and attract events such as the Female State Championships. The Masterplan has been updated to propose Class II lighting (500 lux infield and 300 lux outfield) on field 1. Given the significant investment and infrastructure upgrades required for such floodlighting, it is not considered feasible at this point to include Class III lighting on Bill Bobbins Oval (map reference 2).
		To retain the location of the cricket practice facility at field 'no 6' but ensure appropriate refurbishments are undertaken in line with the CCFG and that power can be supplied from 'Block E'.	The removal of the cricket nets was done in error. The Masterplan has been updated to illustrate the retention of the nets.  An allowance for building improvements have been included in the costings for the Masterplan. The scope of works is subject to further design, however it would focus on improving internal spaces to cater for female participants.
		Removal of the junior field 'no 8' if a synthetic wicket is proposed at 'no 4' and/or 'no 7'. This negates the need for training nets to be removed from field 'no 8' to the proposed site location 'no 10' and can enable power to be supplied to the nets adjacent Building D and on 'no 8' to remove the need to run generators. Upgrades are still desirable to this existing practice facility.	A junior cricket oval is proposed to allow the continue programming of junior competition once Field 3 is upgraded to a dedicated football facility. Field 4 will also contain a synthetic pitch however due to also being a community event space it may not be available on occasions. The upgrade of the trotting track (map reference 7) is a long term vision and not likely to occur for several years or more. Feedback from the clubs indicated that having cricket nets adjacent to each other created issues when groups of differing skills were using the nets simultaneously.

## ITEM 12 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS

			Relocating the nets to location 10 would help separate users. The opportunity to run power to cricket net areas may be considered as part of proposed floodlight upgrade.
		The provision of 360lux lighting with 0.6 uniformity to the cricket practice facilities to increase capacity for evening / night training and community use is desirable	It is noted that lighting is desired at training facilities. There is an opportunity to include power outlets adjacent to training areas as part of the floodlighting upgrade to enable users to set up temporary lighting.
		Provision for drainage at site locations 'no 1, 2 and 6'. This will compliment the works already undertaken at site location 'no 5'.	Masterplan has been updated to include drainage improvements to playing surfaces 1, 2 and 6.
		Retain three to four turf wicket playing fields to accommodate two local Premier Clubs and boost opportunities to host national, state and regional competitions.	The masterplan proposes to retain all turf wickets.
		Upgrades to perimeter ground fencing at site locations 'no 2 and 6' to match the aesthetics of existing fencing at site location 'no 1'.	Replacing of fences is programmed and funded in accordance with Council's asset management plan and not typically included in strategic documentation such as this masterplan. The style of fencing will be guided by the available budget.
		The inclusion of junior format crease markings/identifiers within the playing pitch and training net design to support the junior cricket pathway from Woolworths Cricket Blast into Junior Cricket.	Council is supportive of such an initiative in consultation with the relevant clubs.





GHDWOODHEAD



# King Park Sports Complex Masterplan

Port Stephens Council

OCTOBER 2020





## Context Plan

For Information

KING PARK SPORTS COMPLEX MASTERPLAN

Job No: 22-20017

Original Size: A3

Drawing No: 22-20017-SK010

Approved: LA

Date: 01/05/20

Rev: B

**GHDWOODHEAD**

Level 15, 133 Castlereagh Street, Sydney NSW 2000  
T 61 2 9239 7100 E [info@ghd.com](mailto:info@ghd.com) W [www.ghd.com](http://www.ghd.com)

Copyright retained by GHDWoodhead Architecture Pty Ltd





## Existing site conditions and constraints

For Information

KING PARK SPORTS COMPLEX MASTERPLAN

Job No: 22-20017

Original Size: A3

Drawing No: 22-20017-SK015

Approved: LA

Date: 01/05/20

Rev: B

**GHDWOODHEAD**Level 15, 133 Castlereagh Street, Sydney NSW 2000  
T 61 2 9239 7100 E ghd@ghd.com W www.ghd.com

Copyright retained by GHDWoodhead Architecture Pty Ltd



### Opportunities

The following master plan opportunities are supported by the recommendations of the Demand Analysis Report (Dec 2019) and other statutory frameworks and policy documents.<sup>1</sup>

**1. Foreshore Reserve - Boat launch** Improved facilities for recreational boat use

**2. Foreshore Reserve - Unstructured recreational areas** Including: Seating; Shading; Water fountains; Public toilets; Fishing Jetty. The foreshore will provide a connection from the main boat launch and the informal family boat mooring area. This linear section of open space will include a variety of destinations/seating areas and links for pedestrians and cyclists

**3. Foreshore Reserve - Informal family boat mooring area** Secondary temporary mooring area for recreational boating. Additional parking to be considered

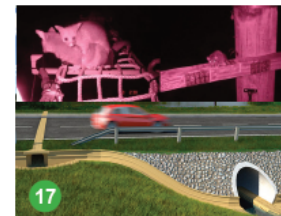
**4. Walking trail** Located at the perimeter of the site to provide continuous connection around the playing fields. To include raised walkway for flood prone areas. Distance markers/ signage suggested.



**5. View corridor** A strong vista connection is suggested to enhance sense of place and improve orientation. Highlighting river/ activity/ topography.

**6. Roundabout to boat ramp** Improve vehicle access to boat launch

**7. Wetland upgrade** To include: elevated walkways for all weather access /egress; educational signage; covered areas with chairs and tables; formalized car park; increase water storage capacity through increased depth; incorporate improved bio-retention outcomes; refurbish wetlands to improve hydraulic functionality and increase attraction for native fauna



**8. Children playgrounds** Including: Catering for various age groups, district standard; all abilities accessible; soft-fall; shading; seating

**9. Screening** Planted screen to hide view of adjacent industrial area

**10. Event space** To support community events of up to 10,000 spectators including: concert zone; spectator mounds & potential grass amphitheater; temporary staging ground level platform to support bump-in staging; power, water and lighting to staging platform; back of house operational space and access

**11. Spectator seating** Install small seating and shaded areas for spectators around the sports fields. Consider flexibility for expansion

**12 Gateways** To be clearly defined with appropriate branding. Consider main and secondary gateways; way finding and interpretation to be integrated throughout the site.

**13. Footpath network** To be connected and including: proposed footpath upgrade; primary footpath; secondary footpath; paths to consider separated pedestrian and cycle infrastructure and supporting facilities (drinking fountains, rest areas, fitness nodes)

**14. Pedestrian crossing infrastructure** Includes crossings points to be coordinated with internal footpath network; suggested Signalized Intersection at Newline Road/ Bailey Street

**15. Increased parking** Demand study to quantify additional parking requirements and preferred locations

**16. Bus drop off area** Include provision for buses and taxis

**17. Green infrastructure** Provide a green connection corridor at ground level and through the canopy to support movement for flora and fauna. Consider safe fauna crossing points.

**18. Lighting** Provision of lighting for orientation, safety, illumination of sporting fields/courts and car parking. To be energy efficient and support CPTED principles

**19. Temporary food & beverage, merchandise points** Lighting; Power (including 3-phase); Water; Concrete pads

**20. Maintenance access** All pathways to accommodate maintenance vehicle movement

**21. Structure trees** To be located along road corridor and key internal routes to define circulation, create 'place', screen, enclose, provide edge definition and provided shading and improved air quality

**22. Bus stop** Opportunity for bus stop on Newline Road

**23. Path connection** to link with Mount Hall Road via unformed road.



### Master plan opportunities

For Information

KING PARK SPORTS COMPLEX MASTERPLAN

Job No: 22-20017

Original Size: A3

Drawing No: 22-20017-SK020

Approved: LA

Date: 01/05/20

Rev: B

**GHDWOODHEAD**

Level 15, 133 Castlereagh Street, Sydney NSW 2000  
T 61 2 9239 7100 E [enquiry@ghd.com](mailto:enquiry@ghd.com) W [www.ghd.com](http://www.ghd.com)

Copyright retained by GHDWoodhead Architecture Pty Ltd





Photos Location Map

For Information

KING PARK SPORTS COMPLEX MASTERPLAN

Job No: 22-20017

Original Size: A3

Drawing No: 22-20017-SK030

Approved: LA

Date: 01/05/20

Rev: B

**GHDWOODHEAD**

Level 15, 133 Castlereagh Street, Sydney NSW 2000  
T 61 2 9239 7100 E [info@ghd.com](mailto:info@ghd.com) W [www.ghd.com](http://www.ghd.com)

Copyright retained by GHDWoodhead Architecture Pty Ltd





## Site Photos

For Information

KING PARK SPORTS COMPLEX MASTERPLAN

Job No: 22-20017

Original Size: A3

Drawing No: 22-20017-SK040

Approved: LA

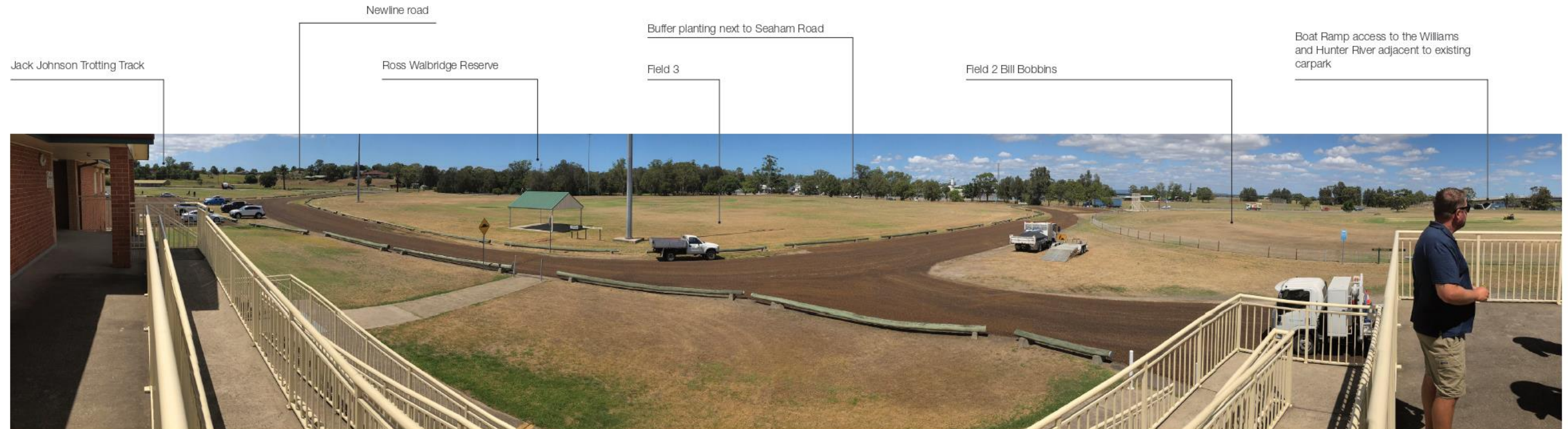
Date: 01/05/20

Rev: B

**GHDWOODHEAD**Level 15, 133 Castlereagh Street, Sydney NSW 2000  
T 61 2 9239 7100 E [info@ghd.com](mailto:info@ghd.com) W [www.ghd.com](http://www.ghd.com)

Copyright retained by GHDWoodhead Architecture Pty Ltd





## Site Photos

For Information

KING PARK SPORTS COMPLEX MASTERPLAN

Job No: 22-20017

Original Size: A3

Drawing No: 22-20017-SK050

Approved: LA

Date: 01/05/20

Rev: B

**GHDWOODHEAD**

Level 15, 133 Castlereagh Street, Sydney NSW 2000  
T 61 2 9239 7100 E [info@ghd.com](mailto:info@ghd.com) W [www.ghd.com](http://www.ghd.com)

Copyright retained by GHDWoodhead Architecture Pty Ltd



**Contamination and capping** (Author: Alison Monkly)**Opportunities**

We believe that capping works were undertaken circa 1990s, possibly involving Egis Consulting Australia. No records of the capping material or construction have been obtained.

Intrusive investigations anticipated for geotechnical and contamination assessment for detailed design and construction of structures (including flood lights) and buildings. The investigations may also serve as an indication of the capping condition across the site. Issues of capping performance during flooding are not known.

**Constraints**

The King Park landfill was operated by Port Stephens Council from 1978 through to 1989 for the disposal of putrescible refuse such as domestic waste.

Environmental monitoring currently comprises five groundwater monitoring wells, one surface water monitoring location and four gas monitoring locations (including the club house, amenities building, and two light poles).

Groundwater levels are typically 0.5-2 metres below ground level. The most recent monitoring program review (GHD, 2018) concluded:

- Elevated ammonia and metals were reported in groundwater sampled between December 2013 and March 2018.
- Exceedances at the surface water monitoring location were primarily metals and nitrate.
- Increasing trends of ammonia were reported at three groundwater monitoring locations along with the surface water location, indicating that contaminated groundwater and surface water may be migrating off site.

The design would need to consider potential human health risks (associated with encountering contaminated soils/waste/groundwater) and subsequent waste management (e.g. classification and disposal). Therefore, intrusive investigations are recommended prior to excavation works expected to exceed 0.5 metres below ground level. Disturbance of capping to be assessed during geotechnical/contamination investigations prior to design and construction. Should the capping be breached (e.g. for light pole footing), ongoing gas monitoring would be required at representative locations (as currently undertaken as part of the environmental monitoring program). Slab construction may be suitable to minimise capping disturbance, however ground settlement issues would need to be assessed as part of the geotechnical investigations.

Screw piling may also be an option, though may require ongoing maintenance due to settlement, as well as ongoing gas monitoring due to capping breach.

**Water** (Author: Adam Wyatt)**Opportunities**

Design could incorporate features such as elevated walkways for all weather access / egress, pavilion style structures to minimise loss of flood storage and permit flows through. Civil design should consider incorporating lowered areas into the design to add more flood storage (ie reduce local flooding). These areas could be integrated with constructed wetlands to improve local stormwater quality during smaller storm events, that could harvest irrigation water for the site.

**Constraints**

Council's mapping indicates that the site is mostly located with high hazard flood storage area – pedestrian risk and risk of significant damage to buildings; removal of flood storage (eg by filling) can increase flood severity in the surrounding area. This hazard category generally prohibits filling, development, and habitation, and requires additional consideration of emergency management.

**Geotech** (Author: Joanna Sylvester)**Areas underlain by fill**

Design of buildings and infrastructure on a capped landfill cell poses significant challenges due to the compounding effects of uncontrolled compaction, variability of the fill (waste) material, the effects of biodegradation of organic material in the landfill and the effects of increased loads on alluvial sediments underlining the landfill. Additionally, construction of utility trenches and footings for structures may interfere with the capping, jeopardising its effectiveness with respect to providing a low permeability seal over the waste. Foundations for structures may require excavation through the waste with difficulties associated with waste contamination and obstructions. Opportunities to manage these challenges could include:

- Locating buildings and infrastructure away from areas of landfill
- Bespoke designs to mitigate the impact of settlement
- Acceptance of ongoing maintenance to manage ongoing settlement
- High level footings to avoid breaching the capping.

Further desktop studies on the previous landfill activities as well as geotechnical investigations will be required to assess subsurface conditions, provide data for landfill settlement analysis and recommendations for design.

An understanding of the total and differential settlement likely to be encountered at the site will be necessary to facilitate design. A preliminary assessment could be used to assess the known risks associated with development in this area.

An understanding of the total and differential settlement likely to be encountered at the site will be necessary to facilitate design. A preliminary assessment could be used to assess the known risks associated with development in this area.

We anticipate that any buildings (and possibly other infrastructure) may require deep piled footing, extending below the waste into the natural soils and founded in a suitable bearing unit. Obstructions in the waste may preclude certain types of driven piles.

**Areas not underlain by fill**

In areas of natural subsurface (not covered with fill), the following opportunities exist:

- Limit excavation depth and extent into the natural subsurface to mitigate the volume of acid sulfate soil impacted
  - Shallow groundwater conditions should be considered in final design levels, footing options and construction methods.
- In areas of alluvium, constraints are associated with the variable nature of alluvium and the potential for soft or loose surficial soils, which may require deeper foundations or ground improvement.
- Further desktop studies on the previous landfill extent as well as geotechnical investigations will be required to assess subsurface conditions and provide recommendations for design.

**Transport** (Author: Mark Lucas)**Opportunities****Traffic and Transport**

Previous analysis undertaken in the region indicates that roundabout at the New Line Road, Seaham Road and William Bailey Street will cease to operate with a good level of service between 2022 and 2027. The current configuration does not provide any priority for pedestrians. Further analysis indicates an upgrade to signalisation would improve intersection operation while facilitating a safer environment for pedestrians.

The proposed development is on either side of Seaham Road. There are opportunities to provide a mid-block pedestrian crossing to improve connectivity between the two sites. This could potentially be a raised 'wombat crossing' which would also serve to reduce vehicle speeds.

Additionally, the pedestrian facilities adjacent to the site are generally of a poor condition and there is an opportunity to provide formal footpaths adjacent to the site on New Line Road and Seaham Road.

Bicycle parking should be provided on site.

It is anticipated that the facility will be accessed by coaches i.e. school groups. Suitable facilities should be provided onsite or on-road i.e. an indented bay to accommodate buses.

A pick-up/drop-off facility should be provided on-site.

The provision of a roundabout at the intersection of the site access and New Line Road to encourage vehicles to slow down near the facility.

**Constraints**

Port Stephens Development Control Plan (Part B General Provisions) does not provide parking rates for all the proposed components of the master plan. Parking demand would need to be assessed on a "first principles" basis to ensure a suitable supply could be provided on site. The costs associated with the proposed upgrades to the traffic and transport infrastructure to be recognised.

**WSUD's** (Author: Tom Patterson)

A water balance model was prepared to undertake a preliminary assessment of options. This model has not been calibrated and should only be used as an initial guide, more detailed modelling is required to refine these initial results.

The sports fields require approximately 0.5 ML/day irrigation water, averaged over the year. Two preliminary concepts are suggested to supply this water.

**Preliminary Option 1**

The upgrade of wetlands adjacent to and south east of the sports fields. This would allow the storage of Stormwater from the upstream catchment for reuse. Examination of the wetland area suggests that between 5 ML and 10 ML of storage could be used if the wetland areas were upgraded. Preliminary analysis suggests this could reduce reliance on potable water between 50-80%.

**Opportunities**

- Could improve Stormwater quality discharged to Hunter River

**Constraints**

- Cost of upgrading wetlands
- Water quality in wetlands is reportedly poor, there may be a need to upgrade Stormwater quality treatment devices in the catchment. It also may not be economically feasible to treat water to the required level.
- Potentially other sources of pollution that may be expensive to treat.
- Grey-headed Flying fox colony

**Preliminary Option 2**

Raymond Terrace Wastewater Treatment Works is located two kilometres away and has a treatment capacity of 7.3 ML/day. Therefore, potentially all of the irrigation demand of the sports fields could be met using this source. Some of the water from the treatment plant is currently used for irrigation, the majority is discharged to Winderers Creek.

**Opportunities**

- Constant supply of water
- This recycled water could also supply:
  - Boomerang Park Sports Fields
  - Muree golf course
  - Industrial areas
- Use areas are geographically close to each other, minimising piping requirements.

**Constraints**

- Cost of piping and improved treatment
- Potential community concerns with use of recycled water

**Preliminary Option 3**

A third option has been discussed with Council that includes Capturing storm water from Carmichael St/CBD and running to Ross Walbridge Reserve.

**Opportunities**

- Improves quality of storm water discharge in to the river
- Water supply at minimal cost

**Constraints**

- Relies on the upgrade of Ross Walbridge Reserve, and any quality processing
- Cost of upgrade storm water network for conveyance
- Inconsistent supply

**Social infrastructure** (Author: Claire Edwards)**Opportunities**

Engaging with the broader community on the masterplan will create community buy-in to how the complex and foreshore takes shape and its future uses. It will provide the Council and project team with a quick understanding of any current issues at the site related to safety, community values, as well as identifying community needs and aspirations.

This, along with socio-economic and cultural analysis of the existing and projected population of the local and regional community, will identify their existing and future needs that could be incorporated into the design. For example, ensuring there is a range of play facilities, and adequate seating and amenities. Additionally analysis of the sports complex and foreshore reserve events programs will identify current use of the complex and generate ideas for future event opportunities at the complex and reserve.

Together, these approaches will help to maximise use of the site throughout the year by the broader community, activating the spaces and creating a multipurpose, multiuse facility.

By incorporating the community's ideas in the master plan, and engaging them in the design process, they are much more likely to take ownership of, and feel attachment to the space. This can increase community use of the spaces, and with it natural surveillance, higher attendance to events and a sense of belonging to the community. Providing a user-influenced design that appeals to all ages, is inclusive and accessible creates longer term economic and social benefits and better outcomes for the community.

**Technical Opportunities and Constraints**

For Information

KING PARK SPORTS COMPLEX MASTERPLAN

Job No: 22-20017

Original Size: A3

Drawing No: 22-20017-SK060

Approved: LA

Date: 01/05/20

Rev: B

**GHDWOODHEAD**Level 15, 133 Castlereagh Street, Sydney NSW 2000  
T 61 2 9239 7100 E [eyd@mail@ghd.com](mailto:eyd@mail@ghd.com) W [www.ghdwoodhead.com](http://www.ghdwoodhead.com)

Copyright retained by GHDWoodhead Architecture Pty Ltd



**Sporting facilities**

- 1 Premier Oval (retain turf wicket, upgrade of existing inc. tiered seats, Class II Cricket Lighting: 500lux square / 300lux outfield, drainage upgrade)
- 2 Senior soccer field (100 x 75m with existing turf wicket block and 3m safety runoff, 100 lux flood lights, drainage upgrade)
- 3 Premier Rectangular Field (105 x 64m, 3m run off, with perimeter fencing, covered tiered seating with media box, 200 lux flood lights). Additional warm-up field (105 x 64m, 3m run off with 100 lux flood lights). Irrigation & drainage upgrade.
- 4 Event Space with cricket oval, synthetic wicket. Drainage to be resolved.
- 5 2x Existing Formalised soccer fields (105 x 68m with turf cricket pitch, 100 lux flood lights)

- 6 Playing Field or rectangular field on existing location. Drainage to be upgraded.
- 7 Option one: Athletics/Rectangle Pitch; Option two: Cricket / 2 rectangle pitches  
Chosen configuration of this site will be subject to demonstrated demand.
- 8 Junior Cricket Oval with synthetic wicket
- 9 Additional 3 netball courts, with 100 lux flood lights. Tennis courts extended to north, with 250 lux flood lights
- 10 Cricket Nets 2-4 (synthetic). 3.6m x 27m per net area

**Buildings**

- A Vi Barnett Athletics building
- B Tennis building
- C Netball building
- D Main clubhouse
- E Field 5 building



For Information

KING PARK SPORTS COMPLEX MASTERPLAN

Job No: 22-20017

Original Size: A3

Drawing No: 22-20017-SK120

Approved: LA

Date: 13/10/20

Rev: C

**GHDWOODHEAD**Level 15, 133 Castlereagh Street, Sydney NSW 2000  
T 61 2 9239 7100 E ghd@ghd.com W www.ghdwoodhead.com

Copyright retained by GHDWoodhead Architecture Pty Ltd



**ITEM NO. 13**

**FILE NO: 20/328025  
EDRMS NO: PSC2017-00178**

**REQUEST FOR FINANCIAL ASSISTANCE**

REPORT OF: WAYNE WALLIS - GENERAL MANAGER  
GROUP: GENERAL MANAGER'S OFFICE

---

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from Mayor funds to the following:-
  - a. Clontarf Foundation – Mayoral funds - \$2000 donation towards a Clontarf Port Stephens Further Education Scholarship.
  - b. Port Stephens Family and Neighbourhood Service – Mayoral funds - \$4700 donation towards school holidays and Christmas activities for young people.

---

**BACKGROUND**

The purpose of this report is to determine and, where required, authorise payment of financial assistance to recipients judged by the Mayor and or Councillors as deserving of public funding. The Grants and Donations Policy gives the Mayor and Councillors a wide discretion either to grant or to refuse any requests.

Council's Grants and Donations Policy provides the community, the Mayor and Councillors with a number of options when seeking financial assistance from Council. Those options being:

- 1) Mayoral Funds
- 2) Rapid Response
- 3) Community Financial Assistance Grants – (bi-annually)
- 4) Community Capacity Building

Council is unable to grant approval of financial assistance to individuals unless it is performed in accordance with the Local Government Act 1993. This would mean that the financial assistance would need to be included in the Operational Plan or Council would need to advertise for 28 days of its intent to grant approval. Council can make donations to community groups.

The requests for financial assistance are shown below:

**MAYORAL FUNDS – Mayor Palmer**

Clontarf Foundation	The Clontarf Foundation uses a unique, innovative and highly successful approach to assist young Aboriginal and Torres Strait Islander men to transition into meaningful employment.	\$2000	Donation towards a Clontarf Port Stephens Further Education Scholarship.
Port Stephens Family and Neighbourhood Service	Port Stephens Family and Neighbourhood Service is an incorporated not for profit organisation providing community services in Port Stephens.	\$4700	Donation towards school holidays and Christmas activities for young people.

**COMMUNITY STRATEGIC PLAN**

<b>Strategic Direction</b>	<b>Delivery Program 2018-2021</b>
Community Partnerships	Support financially creative and active communities.

**FINANCIAL/RESOURCE IMPLICATIONS**

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

**LEGAL AND POLICY IMPLICATIONS**

To qualify for assistance under Section 356(1) of the Local Government Act 1993, the purpose must assist the Council in the exercise of its functions. Functions under the Act include the provision of community, culture, health, sport and recreation services and facilities.

The policy interpretation required is whether the Council believes that:

- a) applicants are carrying out a function, which it, the Council, would otherwise undertake.
- b) the funding will directly benefit the community of Port Stephens.
- c) applicants do not act for private gain.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk that Council may set a precedent when allocating funds to the community and an expectation those funds will always be available.	Low	Adopt the recommendations.	Yes

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

Nil.

**CONSULTATION**

Consultation with key stakeholders has been undertaken by the General Manager's Office.

Consultation has been taken with the key stakeholders to ensure budget requirements are met and approved.

**OPTIONS**

- 1) Accept the recommendation.
- 2) Vary the dollar amount before granting each or any request.
- 3) Decline to fund all the requests.

**ATTACHMENTS**

Nil.



**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.



**ITEM NO. 14**

**FILE NO: 20/333141  
EDRMS NO: PSC2017-00015**

**INFORMATION PAPERS**

REPORT OF: WAYNE WALLIS - GENERAL MANAGER  
GROUP: GENERAL MANAGER'S OFFICE

---

**RECOMMENDATION IS THAT COUNCIL:**

Receives and notes the Information Papers listed below being presented to Council on 24 November 2020.

---

<b>No:</b>	<b>Report Title</b>	<b>Page:</b>
1	October 2020 Cash and Investments	234
2	Council Resolutions	237

---



# INFORMATION PAPERS





**ITEM NO. 1**

**FILE NO: 20/328512**  
**EDRMS NO: PSC2006-1531**

**OCTOBER 2020 CASH AND INVESTMENTS**

REPORT OF: TIM HAZELL - FINANCIAL SERVICES SECTION MANAGER  
GROUP: CORPORATE SERVICES

**BACKGROUND**

The purpose of this report is to present Council's schedule of cash and investments held as at 31 October 2020.

**ATTACHMENTS**

- 1) October 2020 Cash and Investments. [↓](#)
- 2) October 2020 Cashflow Report. [↓](#)

**COUNCILLORS ROOM**

Nil.

**TABLED DOCUMENTS**

Nil.

CASH AND INVESTMENTS HELD AS AT 31 OCTOBER 2020								
ISSUER	BROKER	RATING*	DESC.	YIELD %	TERM DAYS	MATURITY	AMOUNT INVESTED	MARKET VALUE
TERM DEPOSITS								
AMP BANK	LAMINAR	BBB+	TD	1.65%	182	25-Nov-20	1,250,000	1,250,000
JUDO BANK	CURVE	NR	TD	2.10%	371	9-Dec-20	600,000	600,000
BNK BANK LTD	CURVE	NR	TD	1.80%	371	9-Dec-20	1,000,000	1,000,000
AMP BANK	LAMINAR	BBB+	TD	1.55%	188	10-Dec-20	1,000,000	1,000,000
BNK BANK LTD	CURVE	NR	TD	1.80%	384	22-Dec-20	1,000,000	1,000,000
AUSTRALIAN UNITY BANK	CURVE	NR	TD	1.70%	337	7-Jan-21	1,000,000	1,000,000
JUDO BANK	CURVE	NR	TD	1.60%	211	7-Jan-21	1,000,000	1,000,000
MUTUAL BANK	MUTUAL BANK	NR	TD	0.95%	159	3-Feb-21	550,000	550,000
BANK OF SYDNEY	CURVE	NR	TD	1.99%	365	18-Feb-21	750,000	750,000
JUDO BANK	CURVE	NR	TD	2.00%	363	18-Feb-21	200,000	200,000
AUSWIDE BANK	FARQUHARSON	BBB	TD	0.75%	168	31-Mar-21	1,000,000	1,000,000
JUDO BANK	CURVE	NR	TD	1.05%	256	11-May-21	275,000	275,000
JUDO BANK	CURVE	NR	TD	1.05%	253	11-May-21	300,000	300,000
AMP BANK	LAMINAR	BBB+	TD	0.80%	295	23-Jun-21	300,000	300,000
AUSTRALIAN MILITARY BANK	FARQUHARSON	BBB+	TD	1.65%	635	30-Jun-21	1,000,000	1,000,000
JUDO BANK	CURVE	NR	TD	1.05%	343	4-Aug-21	900,000	900,000
JUDO BANK	CURVE	NR	TD	1.05%	337	4-Aug-21	300,000	300,000
MAITLAND MUTUAL	MUTUAL	NR	TD	0.95%	351	18-Aug-21	300,000	300,000
AMP BANK	LAMINAR	BBB+	TD	0.80%	383	15-Sep-21	1,000,000	1,000,000
AUSWIDE BANK	CURVE	BBB	TD	1.75%	727	28-Sep-21	1,000,000	1,000,000
ICBC	IMPERIUM	A	TD	1.62%	729	13-Oct-21	1,000,000	1,000,000
AUSWIDE BANK	IMPERIUM	BBB	TD	1.65%	731	15-Oct-21	500,000	500,000
MUTUAL BANK	MUTUAL BANK	NR	TD	0.90%	159	27-Oct-21	700,000	700,000
AUSWIDE BANK	RIM	BBB	TD	1.73%	701	2-Feb-22	1,250,000	1,250,000
MACQUARIE BANK	LAMINAR	A+	AT CALL	0.80%	AT CALL	30-Jun-21	7,900,000	7,900,000
SUB TOTAL (\$)							26,075,000	26,075,000
TCORP CASH FUND							500,000	502,557
TCORP SHORT TERM INCOME FUND							2,500,000	2,505,267
TCORP MEDIUM TERM GROWTH FUND							3,000,000	2,992,841
TCORP LONG TERM GROWTH FUND							1,000,000	993,690
INVESTMENTS TOTAL (\$)							33,075,000	33,069,355
CASH AT BANK (\$)							1,065,748	1,065,748
TOTAL CASH AND INVESTMENTS (\$)							34,140,748	34,135,103
CASH AT BANK INTEREST RATE				0.55%				
BBSW FOR PREVIOUS 3 MONTHS				0.15%				
AVG. INVESTMENT RATE OF RETURN ON TDs				1.27%				
TD = TERM DEPOSIT								
AC = AT CALL CASH ACCOUNT								
FRTD = FLOATING RATE TERM DEPOSIT								
*STANDARD AND POORS LONG TERM RATING								
CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER								
I HEREBY CERTIFY THAT THE INVESTMENTS LISTED ABOVE HAVE BEEN MADE IN ACCORDANCE WITH SECTION 625 OF THE LOCAL GOVERNMENT ACT 1993, CLAUSE 212 OF THE LOCAL GOVERNMENT (GENERAL) REGULATION 2005 AND COUNCIL'S CASH INVESTMENT POLICY								
T HAZELL								



### Cash flow analysis 31/10/2020

#### CASHFLOW STATEMENT

Opening Cash and Investment 1 July 2020  
Closing Cash and Investment 31 October 2020  
**Movement in cash**

YTD	Notes
31,502,431	
35,164,638	
<b>3,662,208</b>	

#### Movement in cash represented by:

##### Operating Activities

Receipts from ratepayers, customers and government authorities	44,205,696
Payments to suppliers & employees	(31,649,938)
Interest received	78,081
Interest paid	(138,664)
<b>Total</b>	<b>12,495,176</b>

##### Investing Activities

Receipts from sale of Infrastructure, Property, Plant & Equipment	81,083
Payments for Property, Plant & Equipment	(7,941,932)
<b>Total</b>	<b>(7,860,849)</b>

##### Financing Activities

Payment of loans	(972,119)
Receipt of new loans	-
<b>Total</b>	<b>(972,119)</b>

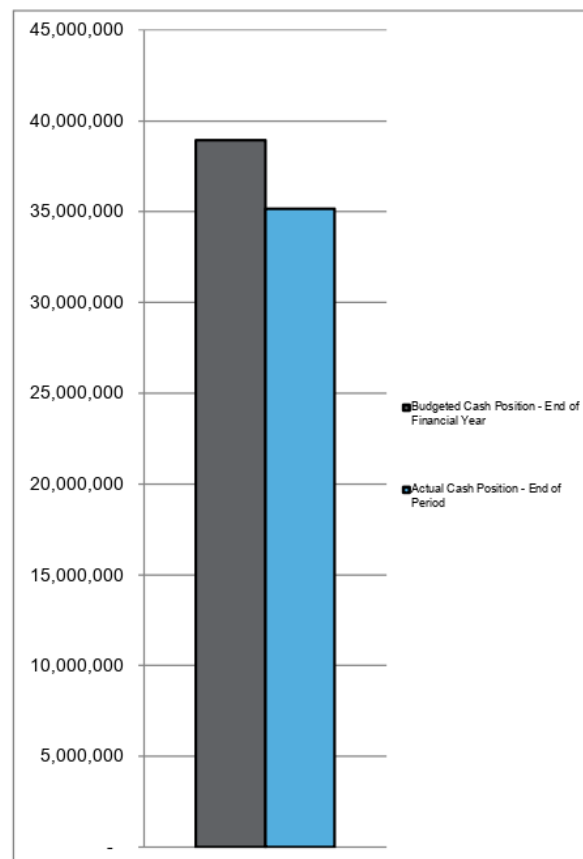
#### Total Cash Movement

Plus: Opening Cash and Investment 1 July 2020	31,502,431
<b>Closing Cash and Investment 31 October 2020</b>	<b>35,164,640</b>

Budgeted Cash Movement for the Financial Year	7,420,913
Plus Opening Cash and Investment 1 July 2020	31,502,431
<b>Budgeted Cash and Investment Position 30 June 2021</b>	<b>38,923,344</b>

In front / (behind) on budget	(3,758,705)
-------------------------------	-------------

Notes

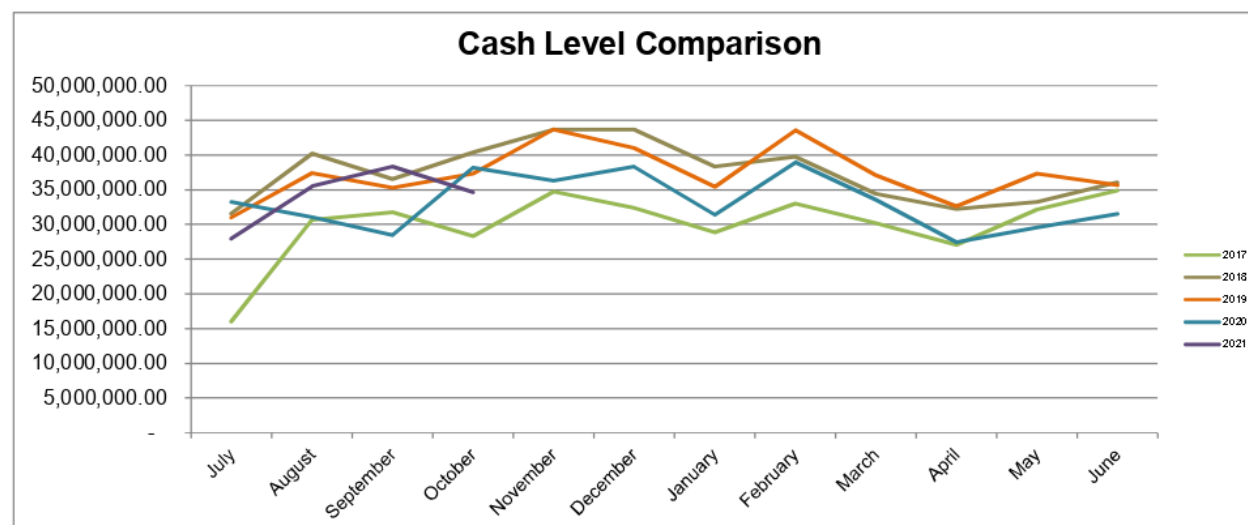


#### Notes

- 1 Council's cash position is down on the budgeted year end position predominately due to the following reasons:
- The proceeds from recent State Roads project work is yet to be received which is approx. \$385k
  - Sale of commercial land is yet to be completed

Significant future cash inflows expected in next few months include state road program service charges, new financial year operating grants and 2nd quarter rates instalment.

Significant future cash outflows expected in next few months include: Tomaree sports complex amenities replacement, Tomaree road upgrade, smart parking implementation, Seabreeze estate drainage and Clarencetown road realignment.



**ITEM NO. 2**

**FILE NO: 20/328034  
EDRMS NO: PSC2017-00106**

## **COUNCIL RESOLUTIONS**

REPORT OF: WAYNE WALLIS - GENERAL MANAGER  
GROUP: GENERAL MANAGER'S OFFICE

## **BACKGROUND**

The purpose of this report is to inform the Mayor and Councillors of the status of all matters to be dealt with arising out of the proceedings of previous meetings of the Council in accordance with the Code of Meeting Practice.

The General Manager's Office has no outstanding resolutions.

## **ATTACHMENTS**

- 1) Corporate Services Group report. [↓](#)
- 2) Development Services Group report. [↓](#)
- 3) Facilities & Services Group report. [↓](#)

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

Nil.



## ITEM 2 - ATTACHMENT 1 CORPORATE SERVICES GROUP REPORT.



Outstanding	Division: Corporate Services	Date From: 26/09/2017
Action Sheets	Committee:	Date To: 10/11/2020
Report	Officer:	Printed: Monday, 16 November 2020

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/03/2018	Crosdale, Timothy	COMPULSORY ACQUISITION OF AN EASEMENT FOR ACCESS OVER PART OF 6 GOVERNMENT ROAD, SHOAL BAY	28/02/2021	28/03/2018	
13		Crosdale, Timothy				18/66656
066						
12 Nov 2020 Awaiting Minister's approval to proceed with the compulsory acquisition.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/02/2019	Crosdale, Timothy	King Street, Raymond Terrace Easements	28/02/2021	14/02/2019	
3		Crosdale, Timothy				19/39843
12 Nov 2020 Awaiting Minister's approval to proceed with the compulsory acquisition.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2019	Crosdale, Timothy	PROPOSED ACQUISITION OF FORMER FIRE STATION SITE - 51 WILLIAM STREET, RAYMOND TERRACE	28/02/2021	29/05/2019	
5		Crosdale, Timothy				19/148388
109						
12 Nov 2020 Minister's approval granted. Proposed Acquisition Notices have been issued to stakeholders. 90 days have expired and it is anticipated Gazettal no later than 4 December 2020.						

ITEM 2 - ATTACHMENT 1 CORPORATE SERVICES GROUP REPORT.



Outstanding	Division: Corporate Services	Date From: 26/09/2017
Action Sheets	Committee:	Date To: 10/11/2020
Report	Officer:	Printed: Monday, 16 November 2020

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2019	Crosdale, Timothy	COMPULSORY ACQUISITION OF PART OF VICTORIA PARADE RESERVE NELSON BAY FOR ROAD PURPOSES	28/02/2021	29/05/2019	
6		Crosdale, Timothy				19/148388
110						
12 Nov 2020						
Waiting on Aboriginal Land Claim determination by Crown Lands.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 23/07/2019	Crosdale, Timothy	GRANT OF EASEMENTS IN FAVOUR OF AGL - PUNT ROAD, TOMAGO	30/01/2021		
7		Crosdale, Timothy				19/200498
169						
12 Nov 2020						
Still in negotiations between AGL and LGL.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/02/2020	Crosdale, Timothy	RENEWAL OF OPTUS LEASE - 9 TARRANT ROAD, SALAMANDER BAY	31/12/2020	12/02/2020	
1		Crosdale, Timothy				20/39141
027						
12 Nov 2020						
Leases have been signed and are in the process of being registered.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/02/2020	Crosdale, Timothy	COMPULSORY ACQUISITION OF PART 879 SWAN BAY ROAD, SWAN BAY FOR ROAD WIDENING PURPOSE	25/02/2021	12/02/2020	
2		Crosdale, Timothy				20/39141
028						
12 Nov 2020						
Awaiting Minister's approval to proceed with the compulsory acquisition.						

**ITEM 2 - ATTACHMENT 1 CORPORATE SERVICES GROUP REPORT.**



<b>Outstanding</b>	<b>Division:</b> Corporate Services	<b>Date From:</b> 26/09/2017
	<b>Committee:</b>	<b>Date To:</b> 10/11/2020
<b>Action Sheets Report</b>	<b>Officer:</b>	<b>Printed: Monday, 16 November 2020</b>

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 22/09/2020	Crosdale, Timothy	Newline Road, Raymond Terrace	6/12/2020		
2		Crosdale, Timothy				20/288489
199						
12 Nov 2020						
Approved. Contracts are being prepared by Hunter Water Corporation.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/10/2020	Hazell, Tim	POLICY REVIEW: PRICING POLICY	30/11/2020		
5		Crosdale, Timothy				20/319652
222						
30 Oct 2020						
Revised Target Date changed From: 10 Nov 2020 To: 30 Nov 2020 - Reason: Policy serving public exhibition period.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/10/2020	Pattison, Zoe	POLICY REVIEW: PUBLIC ACCESS TO RECORDS AFTER 30 YEARS	30/11/2020		
6		Crosdale, Timothy				20/319652
223						
30 Oct 2020						
Revised Target Date changed From: 10 Nov 2020 To: 30 Nov 2020 - Reason: Policy serving public exhibition period.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/10/2020	Crosdale, Timothy	Purchase of Property	10/11/2020		
1		Crosdale, Timothy				20/319652
227						
12 Nov 2020						
Property purchased at auction. Contracts have been executed under seal and returned to Local Government Legal. Due to settle early December 2020.						

## ITEM 2 - ATTACHMENT 1 CORPORATE SERVICES GROUP REPORT.



Outstanding	Division: Corporate Services	Date From: 26/09/2017
	Committee:	Date To: 10/11/2020
	Officer:	
Action Sheets Report		Printed: Monday, 16 November 2020

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/11/2020	Hazell, Tim	2019 - 2020 Annual Financial Statements	24/11/2020		
3		Crosdale, Timothy				20/336705
233						
12 Nov 2020 Annual Financial Statements exhibition has closed. Submissions accepted from 11 Nov - 17 Nov. This action will be completed at the end of the submission period.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/11/2020	Hazell, Tim	Policy Review: Debt Recovery and Hardship	24/11/2020		
7		Crosdale, Timothy				20/336705
238						
12 Nov 2020 Policy serving exhibition period. Exhibition ends 9 December 2020.						

## ITEM 2 - ATTACHMENT 2 DEVELOPMENT SERVICES GROUP REPORT.



Outstanding	Division: Development Services	Date From: 26/09/2017
Action Sheets	Committee:	Date To: 10/11/2020
Report	Officer:	Printed: Monday, 16 November 2020

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/08/2020	Drinan, Kate	DEVELOPMENT APPLICATION 16-2019-679-1 FOR DEMOLITION OF EXISTING STRUCTURE AND CONSTRUCTION OF SHOPTOP HOUSING AND DETACHED DWELLING AT 26 KING STREET, RAYMOND TERRACE	31/12/2020		
1		Pearl, Steven				20/265439
151						
13 Nov 2020 Council resolved to defer this item. A further report will be reported to Council once feedback from the applicant has been received.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/10/2020	Gardner, Janelle	5G SMALL CELL TECHNOLOGY ROLLOUT WITHIN PORT STEPHENS	28/02/2021		
1		Pearl, Steven				20/304775
214						
13 Nov 2020 It was resolved that Council prepare a report on the 5G Small Cell 'low impact' technology rollout within Port Stephens. The report will be presented to Council once the relevant studies have been undertaken.						



## ITEM 2 - ATTACHMENT 3 FACILITIES &amp; SERVICES GROUP REPORT.



<b>Outstanding</b>	<b>Division:</b> Development Services and Facilities & Services <b>Committee:</b> <b>Officer:</b>	<b>Date From:</b> 26/09/2017 <b>Date To:</b> 10/11/2020
<b>Action Sheets Report</b>		<b>Printed:</b> Monday, 16 November 2020

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/12/2019	Maretich, John	Solar Infrastructure	8/03/2021	11/12/2019	
6 264		Kable, Gregory				19/388450
13 Nov 2020 External consultants draft report on energy lighting efficiency / solar panels options was reviewed by internal staff and by external 3rd party consultant. Project will proceed through normal procurement methods. Revised Target Date changed From: 8 Dec 2020 To: 08 Mar 2021.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/12/2019	Gutsche, Tammy	GREEN WASTE DROP OFF - SALAMANDER BAY	26/03/2021	11/12/2019	
7 265		Kable, Gregory				19/388450
12 Nov 2020 Feasibility report will be prepared with the Waste Management Strategy.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/02/2020	Lamont, Brock	Indoor Sports Facility	30/06/2021	26/02/2020	
4 042		Kable, Gregory				20/50488
13 Nov 2020 Current discussions with the Dept of Education about co-sharing a single facility has become not viable. Will commence engagement with Sports Council to determine the indoor sporting needs of this community.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/06/2020	Stewart, Adam	Naming of Pathway, Gan Gan Road, Anna Bay	2/03/2021	10/06/2020	
1 101		Kable, Gregory				20/164033
13 Nov 2020 The specifications and request for quote have been prepared. These documents will be released to Contractors in September 2020. Final designs and proposals will be presented in November 2020 to the Central Ward Councillors.						

## ITEM 2 - ATTACHMENT 3 FACILITIES &amp; SERVICES GROUP REPORT.



<b>Outstanding</b>	<b>Division:</b> Development Services and Facilities & Services <b>Committee:</b> <b>Officer:</b>	<b>Date From:</b> 26/09/2017 <b>Date To:</b> 10/11/2020
<b>Action Sheets Report</b>		<b>Printed:</b> Monday, 16 November 2020

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/07/2020	Lamont, Brock	REVIEW OF THE OFF LEASH DOG AREAS AND TIMES AT ANNA BAY / BIRUBI POINT, FISHERMANS BAY AND BOAT HARBOUR	2/03/2021		
1 138		Kable, Gregory				20/192934
13 Nov 2020 Consultation proposed to be November 2020 with report to Council early in the new year.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 14/07/2020	Stewart, Adam	Tomaree Headland	31/03/2021		
2 139		Kable, Gregory				20/192934
13 Nov 2020 Discussions ongoing with National Parks as part of their footpath plans as well as other community groups who have a vested interest. Revised Target Date changed From: 31 Dec 2020 To: 31 Mar 2021						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/08/2020	Drinan, Kate	DEVELOPMENT APPLICATION 16-2019-679-1 FOR DEMOLITION OF EXISTING STRUCTURE AND CONSTRUCTION OF SHOPTOP HOUSING AND DETACHED DWELLING AT 26 KING STREET, RAYMOND TERRACE	31/12/2020		
1 151		Peart, Steven				20/265439
13 Nov 2020 Council resolved to defer this item. A further report will be reported to Council once feedback from the applicant has been received.						

**ITEM 2 - ATTACHMENT 3 FACILITIES & SERVICES GROUP REPORT.**



<b>Outstanding</b>	<b>Division:</b> Development Services and Facilities & Services	<b>Date From:</b> 26/09/2017 <b>Date To:</b> 10/11/2020
<b>Action Sheets Report</b>	<b>Committee:</b> <b>Officer:</b>	<b>Printed:</b> Monday, 16 November 2020

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 25/08/2020	Burton , Paul	King Park Sports Complex Masterplan	31/12/2020		
7 157		Kable, Gregory				20/265439
13 Nov 2020 Public Exhibition ended on 24 September 2020. Submissions will be collated and a report will be prepared for Council in November 2020.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/10/2020	Gutsche, Tammy	Policy Review: Waste Management and Resource Recovery	31/12/2020		
5 209		Kable, Gregory				20/304775
12 Nov 2020 Revised Target Date changed From: 30 Nov 2020 To: 31 Dec 2020 - Reason: A report is being prepared for Council as 3 x submissions were received during the public exhibition period.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/10/2020	Maretich, John	Policy Review: Information & Direction Signs in Road Reserves	31/03/2021		
6 210		Kable, Gregory				20/304775
13 Nov 2020 Revised Target Date changed From: 30 Nov 2020 To: 31 Mar 2020. Public Exhibition closed on 10 November 2020 with 1 submission received. Report will be prepared and reported back to Council in February 2021.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 13/10/2020	Gardner, Janelle	5G SMALL CELL TECHNOLOGY ROLLOUT WITHIN PORT STEPHENS	28/02/2021		
1 214		Peart, Steven				20/304775
13 Nov 2020 It was resolved that Council prepare a report on the 5G Small Cell 'low impact' technology rollout within Port Stephens. The report will be presented to Council once the relevant studies have been undertaken.						

## ITEM 2 - ATTACHMENT 3 FACILITIES &amp; SERVICES GROUP REPORT.



<b>Outstanding</b>	<b>Division:</b> Development Services and Facilities & Services <b>Committee:</b> <b>Officer:</b>	<b>Date From:</b> 26/09/2017 <b>Date To:</b> 10/11/2020
<b>Action Sheets Report</b>	<b>Printed: Monday, 16 November 2020</b>	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/11/2020	Gutsche, Tammy	Birubi Point Community Preschool - Licence	31/12/2020		
4 234		Kable, Gregory				20/336705
12 Nov 2020 Revised Target Date changed From: 24 Nov 2020 To: 31 Dec 2020. Reason: Proposed licence to be placed on public exhibition for a period of 28 days.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 10/11/2020	Maretich, John	Dinghy Policy Amendment	30/04/2021		
1 243		Kable, Gregory				20/336705
13 Nov 2020 Revised Target Date changed From: 24 Nov 2020 To: 30 Apr 2021.						





# NOTICES OF MOTION



**NOTICE OF MOTION**

**ITEM NO. 1**

**FILE NO: 20/342089**

**EDRMS NO: PSC2017-00019**

**COUNCIL AUDIT COMMITTEE**

**COUNCILLOR: GIACOMO ARNOTT**

---

**THAT COUNCIL:**

- 1) Appoints an additional alternate member to the Council Audit Committee, by way of nomination from the floor and, if necessary, vote of Councillors.
- 

**BACKGROUND REPORT OF: TONY WICKHAM – GOVERNANCE SECTION  
MANAGER**

**BACKGROUND**

In September 2010, the Office of Local Government released the Internal Audit Guidelines (the Guidelines), which include the composition of the Audit Committee (the Committee).

The Guidelines state the Committee should have between 3 and 5 members and the representation should be 1 or 2 councillors (excluding the Mayor) and 2 or 3 independent members.

Council's Audit Committee Charter is reflective of the Guidelines and comprises 3 external independent members and 2 councillors, with 1 alternate councillor delegate. The alternate delegate only attends in the absence of a councillor delegate.

The Office of Local Government has advised that the release of a new Risk Management and Internal Audit Framework (the Framework) is scheduled for the end of 2020.

The new Framework proposes that the Audit Risk and Improvement Committee should comprise of 3 to 5 independent voting members only, with councillors, council staff, external auditors, internal auditors and external experts to attend by invitation from the Committee.

**FINANCIAL/RESOURCE IMPLICATIONS**

<b>Source of Funds</b>	<b>Yes/No</b>	<b>Funding (\$)</b>	<b>Comment</b>
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

**ATTACHMENTS**

Nil.

# CONFIDENTIAL ITEMS

In accordance with Section 10A, of the Local Government Act 1993, Council can close part of a meeting to the public to consider matters involving personnel, personal ratepayer hardship, commercial information, nature and location of a place or item of Aboriginal significance on community land, matters affecting the security of Council, Councillors, staff or Council property and matters that could be prejudice to the maintenance of law.

Further information on any item that is listed for consideration as a confidential item can be sought by contacting Council.